



# Out and About

THE **LGBT** EXPERIENCE  
IN THE LEGAL PROFESSION





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**THE LGBT EXPERIENCE  
IN THE LEGAL PROFESSION**

**EDITED BY  
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**Commission on  
Sexual Orientation  
and Gender Identity**

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## From the Chair of the Sexual Orientation and Gender Identity Commission American Bar Association

The American Bar Association's Commission on Sexual Orientation and Gender Identity (SOGI), along with the National LGBT Bar Association, is pleased to present the publication of *Out and About*, a compilation of stories about the experiences of lesbian, gay, bisexual, and transgender attorneys, academics, and jurists in the profession, through their own words.

SOGI is proud of this collaborative effort with the National LGBT Bar Association. Both of our groups are working to support the LGBT legal community. The SOGI mission is to promote full and equal participation in the legal profession by persons of differing sexual orientations and gender identities. Our commission focuses on trying to change the fact that the LGBT legal community faces significant barriers and challenges that discourage their full acceptance and participation in their chosen fields of legal expertise.

In an effort to fulfill the SOGI Commission's responsibility as a source of information for the ABA, the LGBT Bar, current and future practitioners, and society at large, *Out and About* was designed with two goals in mind. One is to educate the legal profession and the general public about the LGBT legal community, its contributions, and its unique struggles; the other is to provide a resource for identification, inspiration, and education to the LGBT legal community on how to deal with situations they may face.

I personally want to thank all of the members of the SOGI Commission and the National LGBT Bar Association for their excellent work on putting this publication together. I also want to thank the brave individuals who trusted us with their stories. May their experiences provide guidance, enlightenment, and courage to all who read them.

Jim Holmes, Chair  
American Bar Association's Commission  
on Sexual Orientation and Gender Identity





## **From the Presidents of the National LGBT Bar Association and the National LGBT Bar Foundation**

Dear reader:

This publication is a collaborative effort between the American Bar Association's Commission on Sexual Orientation and Gender Identity and the National LGBT Bar Association (LGBT Bar). Together we have put together a compilation of stories from lawyers who identify as lesbian, gay, bisexual, and/or transgender. We are thrilled to bring you this unique perspective into the lives of our members and to share their stories with you the reader.

The LGBT Bar is a national association of lawyers, judges and other legal professionals, law students, activists and affiliated lesbian, gay, bisexual, and transgender legal organizations. The LGBT Bar, in conjunction with its sister organization, the LGBT Bar Foundation, promotes justice in and through the legal profession for the LGBT community in all its diversity.

The LGBT Bar has provided support services to the LGBT law community and as such supports the efforts put forth by our editorial committee, but more importantly, we applaud the courage and determination illustrated by each and every author's story.

The LGBT Bar Foundation is grateful for the time and effort the editorial committee put forth in bringing this book to fruition. We are also deeply thankful for the support from the American Bar Association in recognizing the LGBT Bar and supporting this publication.

We are confident that you will enjoy these stories and are hopeful also that you will learn from the stories of our LGBT brothers and sisters in the legal community.

Jeremy Protas, President 2015–2016  
National LGBT Bar Association

Brian Esser, President 2015–2016  
National LGBT Bar Foundation



# Preface

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This volume results from a collaboration between the American Bar Association Commission on Sexual Orientation and Gender Identity (SOGI) and the National LGBT Bar Association (“LGBT Bar”). This joint publication is an anthology of first-person narrative accounts—*Out and About: the LGBT Experience in the Legal Profession*.

SOGI and the LGBT Bar intend this work to be of interest both to LGBT and non-LGBT readers alike. These moving accounts introduce new insights and perspectives. As part of the editorial selection process, the SOGI–LGBT Bar joint working group responsible for producing *Out and About* went to great lengths to identify and encourage authors to share their stories. We sought diversity in all its forms—of course, differing sexual orientations and gender identities—as well as differing ages, races, geographic locations, practice settings, law schools, years of experiences, and more.

While we take pride in the finished result, we regret that every desired diversity characteristic that we sought to include in this book is not represented within these pages. We know, sometimes firsthand, that countless untold stories exist. We wish that everyone with a story would tell it. Times are better than ever, but for some the time still is not right. Therefore, we encourage you, the reader, to bear in mind that we only have scratched the surface in conveying the myriad experiences of our peers.

This compilation of essays has taken some time to complete. Each essay is, in essence, a snapshot of the author’s thoughts and perspective at the time the author wrote the piece. All were written before the United States Supreme Court’s *Obergefell* decision and thus references to the hope for marriage equality may seem out of date. However, we want this book serve as a primer on past experiences and allow it to inspire new conversations—shine light where it has not shined before. Listen to the stories as they are told; share stories that have been kept secret until now. In time, a sequel to this volume may help fill in the gaps and offer new insights and perspectives of those who live in a society that may appear to have quickly transformed but, as these stories demonstrate, actually evolved over long decades of tireless activism.





# Introduction

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Henry David Thoreau said that “[i]f a man does not keep pace with his companions, perhaps it is because he hears a different drummer. Let him step to the music which he hears, however measured or far away.”

Being an individual, doing your own thing no matter what everyone else is doing, is the heart of the essays that follow. Our writers share their experience of at once blending in and yet feeling different, vulnerable, and exposed. They speak of the ever-present potential to be treated differently simply because of who they are, giving these essays deeper meaning. Some authors endured secret pain, suffering in private, hiding personal lives from colleagues. Others barely soldiered through, endeavoring just to make the lives of their clients better. And some openly achieved great success, personally, professionally, or both. Each and every one merits attention.

We hope each chapter of this book informs and inspires our readers to broaden horizons, opening minds to the vast diversity of LGBT individuals. We also hope to improve the legal profession and the justice system itself.

We believe these essays demonstrate the vast potential within all of us. There always have been people who “dance to the beat of a different drummer.” We hope you *dance* to whatever music suits you!





# Acknowledgments

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In addition to the many contributing authors who answered our call for essays focused on their experiences as lesbian, gay, bisexual, and transgender attorneys in the legal profession, there are a number of people who spent many hours, over months and years, making this major effort a reality, and to whom we are grateful.

The following people gave freely of their time, knowledge, and experience, and, above all, helped this book take shape since its inception at the ABA annual meeting in 2012. Thank you in particular to the joint publication working group, comprised of chairs John T. Hendricks and Christine W. Young, and members Katie D. Fletcher, Alyson Meiselman, Lauren Stiller Rikleen, and Jeffrey Schimelfenig.

The working group also expresses deep gratitude to current SOGI Staff Director, Skip Harsh, and former SOGI Staff Director, Robin Rone, as well as LGBT Bar Executive Director, D'Arcy Kemnitz, without whose unwavering support this project would not have been possible.



# 1

## To Thine Own Self Be True

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*For many LGBT lawyers, simply being honest and coming to terms with one's identity is the biggest hurdle to overcome. In the first chapter of the road down the **Out and About** journey, LGBT lawyers will share what it's like to self-identify as lesbian and gay, to navigate the coming-out process personally and professionally, and to pursue authentic careers and lives. Here you will meet judges, lawyers, and academicians of all ages, from young newly minted to long in the tooth. Their stories and experiences reflect the range of inner turmoil and relief being gay and lesbian presents in the legal world. Through their combined efforts, the authors present a familiar story line and yet are each unique in a broad continuum of struggles and achievements to break out of their variously constructed closets. The process, whether forced by circumstances of family, work, school, or business or reached by an internal voluntary self-admission, in short order or over a long period of time, ultimately frees each to live genuinely and reach their full potential.*



## KUNOOR CHOPRA

“Happiness is not something ready-made. It comes from your own actions”—  
Dalai Lama.

It may sound cliché, but I believe the key to happiness is to stay true to who you are. It seems like the new generation of 20-something-year-olds, just coming out of law school or in their early years of practice, have it easier than we did coming out 20 years ago. And, in today’s environment, it may be easier to come out or just be “you,” but you still have to continue to make a decision about how and when to come. Perhaps now that I can call my partner my wife, the reveal of my sexuality will be understood more immediately.

I first came out to myself when I was fifteen and a half, but struggled with what that meant. When I was an undergraduate student at UCLA, I was starting to come to terms that I was a lesbian. However, being in such a large campus, I did not feel like I belonged anywhere. I felt lost until I joined Loyola Law School in Los Angeles in 1995. It was a smaller setting that made it much easier to be out and share with people I was a lesbian. I met my first lesbian law school professor who became a role model to me that it was ok to be out and successful in law. Upon graduation, I joined my first firm, a mid-size, California-focused firm. Oh yes, and they were mostly democratic. I was very out at this firm and did not feel impeded in any way as a result. I remember during my first year, we had a law firm retreat in Hawaii in which everyone’s significant others were invited and made to feel welcome, including mine. I even recall having quite a bad breakup during the end of my time at the firm, and the associates and partners were very supportive and didn’t treat me any differently.

I stayed at this firm for 4 years and then decided to join a larger, AmLaw 200, law firm. I thought a bigger firm and more money was what I wanted, and really didn’t think much about the type of firm I would ultimately end up at. It was a very conservative, Republican, Texas-based firm. The people were smart and professional, but something just did not fit right for me. When I started there, I felt I could not be very out, although I didn’t completely hide it. That combined with the fact that I was South Asian, just made me always feel a little like I didn’t belong. There were a few attorneys I worked with who were great mentors and friends, but I realized that firm wasn’t the right fit for me.

After 1 year, I left the firm and made the move to business. I wanted to stay in the legal industry as I loved law and believed there was a way to make the management and delivery of legal services more efficient. In 2004, I decided to start a legal outsourcing company called LawScribe with offices in the United States and India . . . yes, India, and let me mention how that decision really put me back in the closet, at least with respect to people in India. A lot of the reason

for that was the result of my experience with my own family, and people part of the South Asian culture having a very difficult time with my being a lesbian. So, I thought no one in India would be ok with it. I ran a company for 6 years and never discussed my personal life with anyone who worked with me in India during that time. That was extremely difficult and created a distance, I now wish hadn't existed. With respect to my colleagues in the United States, I was open with them and felt very comfortable being out. I don't think it was just because I was the CEO of the company, but I am sure that didn't hurt. I think it was a positive thing for them to see a lesbian in that type of a position.

What was different for me running my own business was what decision to make about being out with clients. Our client base was comprised of law firms and corporate legal departments, and the individuals we worked with ranged from legal operations executives to in-house counsel, general counsel, and managing partners. I felt quite comfortable in being out, but I wonder if a lot of that decision came from the fact that I was running a company, giving me a sense of security. At that point, I did not feel that being a lesbian would impede my ability to bring in business.

The move to my next company, however, pushed me back in the closet. I sold my company to a Kansas-based legal outsourcing company, run by two very conservative, Caucasian men and one conservative, South Asian man. I remember being so nervous about being out and never spoke about it with anyone until 2 months later after a company holiday party. My stereotypes about this group of individuals not being comfortable with my sexuality were correct. After this party, everyone was talking about how "did you know Kunoor is with a girl" and not in a good way. I recall some of the senior people reacting in a very immature manner to two women being together. There were a few folks of course who were fine with it, but again, I had ended up at a company that just wasn't the right fit.

My next venture as a cofounder in my current company Elevate Services finally brought me back to who I was and where I was meant to be. The Chairman of our company and I had known of each other as we ran competing companies, but we had never met. Our first lunch meeting in January of 2012, really meant by me to just reach out and make a connection, showed me the type of person the Chairman was, but also the type of company we were going to build that was going to be the right fit for me. I remember during the lunch I was talking about my partner, but very ambiguously until he made me feel comfortable by just referring to "her" and continuing the conversation, making me feel "normal." He of course had heard of my being a lesbian through others who worked with him at his prior company and wanted me to know it was not a big deal.

Fast forward 3 months, I travel to India to start helping build the company and meet with one of our clients who was visiting our facility and just making



the decision to work with Elevate. He happened to be an out gay man, who was so open (and comfortable) about his sexuality that it made me start to think about what decision I was going make about being out in India, and generally at Elevate.

Fast forward another 6 months, I travel to India to continue to help set up operations and I meet our Global COO, a very Indian individual who had worked with our Chairman in their prior company. We went out to lunch, and I was again ambiguously talking about my partner and he quickly mentioned Liam had told him about my woman partner, and we just continued the conversation, making me again feel normal. I had never been out to anyone in the business setting in India. This was a huge moment for me.

Our Chairman, client, and COO (and of course wife) all contributed to my finally being able to just be me in the work context—globally. Now, I am out with everyone. Many of my colleagues globally are on my Facebook page, where I am clearly out. I must admit that I am the happiest I have ever been. I am out in my current company and with my clients (one of my clients even came to my wedding). I am married to the most wonderful and supportive woman in the world.

My advice: Don't just make decisions of what to do based on what others think is best for you—that is, larger firm, the private sector, or more money. Think about what type of people, company, environment seem like the right fit and will help you evolve and grow as a person. The world won't all be accepting, but the people who are meant to be in your life will.

## JUDITH M. STINSON

What amazes me the most about being a lesbian in the legal profession is how, despite the tremendous strides LGBT people have made in American society in the past decade, many LGBT law students and lawyers still struggle with the same issues we struggled with over 25 years ago.

I started law school in 1985, when most LGBT people I knew were not out at work. Some classmates wanted to start a gay student group, and I agreed to join. Student groups could not be recognized unless a minimum number of students were interested in joining, and I, along with a number of others—most of whom were straight—signed up. The application for a new student group, including the sign-up sheet, was posted on the student bulletin board. Everyone on the list was presumed to be LGBT. At the age of 21, I was officially “out” to my academic peers for the first time in my life.

That transition was not as difficult as I had imagined, although there were a few challenges; our group had trouble securing office space because, if you believed the rumors, none of the other groups wanted to share an office with us because they were worried we would have sex in the student organization office. The National Lawyers’ Guild student organization agreed to share their office with us, as many of their members had signed up to help us start the group.

I was finally comfortable being out in a quasi-professional sense. And then came the summer clerkship after my second year of law school. I liked all the people at the firm, and they treated me well. I had wonderful mentors and friends. But I was counseled by many people to not let them know I was lesbian until I had a permanent job offer. That was difficult; I had a partner, wore a ring, and by then, was not used to hiding my sexual orientation. I realized the legal profession was relatively conservative, though, so I did not talk about my partner or my personal life. At the end of the summer, I was given a permanent offer. Worried it would come out later, I called the partner I had become closest to and told him I was a lesbian. He responded that they knew. They had asked around, and although they talked about whether it made a difference, they decided to hire me. I accepted the offer.

Again, I was as out as I had ever been. I decided to write my law review paper (in the beginning of my third year; I had been preempted twice already) on government discrimination based on sexual orientation. At the time, little was written on the subject. I was fortunate to be offered a publication slot. There was one problem, however. They wanted me to change the title. I refused. I am happy to say they agreed to publish it with the title as is: “Who’s Been Sleeping



in Your Bed? An Analysis of the Government's Approach to the Sexual Orientation of Its Employees." At that point, I was relatively certain my coming out days were over.

I was wrong, though. After a year and a half at the firm, I changed jobs twice to gain more litigation experience and more responsibility, and each time it seemed that coming out took months or years. Luckily, I met a judge who became an amazing mentor. She encouraged me to consider academia, and against all odds, I was hired in 1994 to teach legal writing. My partner moved with me, I was out, and loved academia. I discovered, however, that few LGBT law students were out. They came to me seeking advice on whether to hide their sexual orientation during interviews and at work, and I always asked the same question: would you want to work in a place where you couldn't be yourself? The answer was almost always the same: I want to work, so if that means not being open, at least for a while, I'd rather not take chances. I was surprised, but understood their predicament; I had been there less than 10 years earlier.

My partner and I decided to start a family, so we wanted to move closer to home. I was, again, very fortunate; a teaching job opened in the city where my partner's family lived. I applied and was granted an interview. By this point, I thought my resume screamed lesbian; I listed my LGBT student group leadership position and my law journal paper title was glaring. Yet during my interview, when I was asked by some of the most liberal, open-minded people on the faculty (which is saying a lot) why I was interested in moving and I explained that we wanted to be closer to my partner's family who lived there, they looked surprised and quickly changed the subject. Once again, I found myself coming out.

I have now been teaching at the same institution for over 15 years. It is rare for someone I work with to not know I am lesbian, and I am fortunate to work in an accepting environment; since I started working at my present job, I cannot think of a single negative experience related to my sexual orientation. I am still surprised, though, at how much law students and lawyers struggle with deciding whether to come out. The law school didn't have an LGBT student group until the late 1990s, and at that time, only two students in the entire student body were out. Despite tremendous gains in legal status for LGBT people over the past decade and a half, I still spend a fair amount of time mentoring LGBT—and non-LGBT—students and new lawyers through issues such as how "out" to be during the job search process and at work, whether to write on LGBT topics for journal papers, whether to enroll in my advanced Sexual Orientation and the Law course, and transitioning genders. The mere perception that these students might appear, from their resumes or transcripts, to be LGBT is enough to make them hesitate. I would have hoped that by now those fears would have subsided, but it is clear to me they have not, especially in a tough job market. All I can hope is that future students will be less concerned

by the potential negative impact that their real or perceived sexual orientation will play in their professional lives.

On a more personal level, I am a mother, a wife, a teacher, an administrator, and a writer, and I am blessed to have a supportive family and amazing friends. I also think people change the world one person at a time. I have been fortunate enough to have strong mentors, and believe that those relationships can make a huge difference in the profession and in people's happiness, including for LGBT lawyers.



## DAVID MILLS

I was born in Salem on October 9, 1942. Dr. Shaughnessey delivered me, as he did three of my siblings. Salem has always been very important to me, and when I was young I recall traveling with my mother and father to Salem on Saturday mornings to purchase produce from an open-air market in Derby Square.

While Danvers is my lifelong and voting residence, I have always considered Salem a part of my home. The fact that the city this month is holding the first gay pride celebration in its long history touches me to the core.

I was nearly 50 years old before I began to struggle with the reality that my sexual orientation was principally gay. That realization was torture for me, a culmination of a half century of guilt and shame. I still shudder to recall the terrible isolation of that journey.

From grades one through eight, I attended the finest public schools in the country in Danvers. I then attended St. John's Prep, a great place for me. My teachers, all Xaverian teaching brothers, were generous, courageous, brilliant, and committed, and I remember several every day in my prayers.

However, the relentless social message of the time was that all normal, healthy people are straight, and anything other was to be destroyed or, at the very least, kept hidden.

On to Boston College, and Boston College Law School. I often reflect with gratitude that I had the benefits of working at Vic's Drive-in and The Village Green restaurant for 11 years while I was attending high school, college, and law school. Those places gave me somewhere to hide from my intensifying depression, which, by the time I reached Boston College, was profound at least one day out of three. Shame kept me from ever attending a single football game in my 4 years at BC, and to this day I have not a single friend from my undergraduate years. The disconnect was then, and for years after, very painful.

By the time I entered law school, the depression was pronounced. I attended Catholic Mass often, continued to say the rosary, and pleaded that Jesus would fix me and make me like other men. I dated kind, graceful, and beautiful women with the hope that "something would click," in the words of one of my many psychiatrists. They promised that my mental illness could be cured and they would mature me into a traditional heterosexual. Tragically, I believed them.

I felt so isolated, so alone. There were no gay/straight school alliances, no gay pride events then, nothing to alleviate the loneliness and helplessness.

At the end of law school, I matriculated to a mental hospital to undergo medical psychiatric treatment for my "mental illness." In truth, I now know that I was not mentally ill, and never had been. I suffered the panic and depression

that resulted from acute, catastrophic sense of aloneness that came from the shame of growing up gay in a straight world.

In July 2001, when Gov. Jane Swift nominated me to be the first occupant of the twenty-third seat on the Massachusetts Appeals Court, I was often asked “Did you always want to be a judge?”

Well, not really.

Indeed, becoming a judge was not among my wildest dreams. For the first 50 years of my life, as a closeted gay man, a principal hope was to keep my sexual orientation (and consequent fear, doubt, and insecurity) hidden, while I attempted the promised cure. I was told, and believed, that I was unspeakably mentally ill.

British mathematician Alan Turing, an undeniable genius, created a primitive computing device that helped decode German naval war codes during World War II, assuring an Allied victory. He was convicted of “gross indecency with a male” in March 1952, when I was 10. Instead of prison, he was sentenced to chemical castration—injections of the female hormone estrogen, designed to suppress his homosexuality. The injections destroyed his athletic frame (he would have run the marathon for Britain in the 1948 London Olympics if it hadn’t been for an injury) and turned him into a bloated monster. It also set the diffident genius on a slow, sad descent into grief and madness. As a consequence, on June 7, 1954, when I was 12 years old, and just weeks after Turing’s forty-second birthday, he killed himself by taking a bite out of an apple that he had dipped in cyanide.

Several historians filed a brief, *amici*, in the case of *Lawrence v. Texas*, 539 U.S. 558 (2003), which was decided when I was 51, in which the Supreme Court on June 26, 2003, struck down all laws that prohibit sex between consenting gay adults. The historians noted that discrimination against homosexuals became widespread in the 20th century and reached its peak between the 1930s and the 1960s. Gay men and women were labeled “deviants,” “degenerates,” and “sex criminals” by medical professionals, government officials, and the mass media. The federal government banned the employment of homosexuals and insisted that its private contractors ferret out and dismiss their gay employees. Many state governments prohibited gay people from being served in bars and restaurants, and many municipalities launched police campaigns to suppress gay life. The authorities worked together to create or reinforce the belief that gay people were an inferior class to be shunned by other Americans, and homosexuals were penalized as a genuinely subordinate class of citizens. Same-gender sexual expression was criminalized, carrying the possibility of imprisonment in every state.

Such was the cultural paradigm for my parents, my siblings, and me during the first 35 years of my life. When I argued my first case before the US



Supreme Court, homosexuality was still defined as a mental illness, and the faith tradition of my Polish and Irish ancestors labeled me then (continuing to this day) as “intrinsically disordered.” (My father was with me in the courtroom. He never had a clue as to how lonely I really was.)

No. I never wanted to be a judge. Why would I want something so absurd, so beyond imagination.

During my confirmation process in 2001, I was prepared for harsh treatment. Augmenting my somewhat establishment credentials, I had slowly become, somewhat modestly, visible as a gay man. I represented Boston Mayor Thomas Menino and the city of Boston in *Connors v. Boston*, 430 Mass. 31 (1999), considered by some to be a predecessor to *Goodridge v. Department of Public Health*, 440 Mass. 309 (2003), often called the “Massachusetts Gay Marriage Case.” (“The Massachusetts Constitution affirms the dignity and equality of all individuals. It forbids the creation of second-class citizens.” 440 Mass. at 312.) But instead of being treated negatively, I was unanimously confirmed by the Governor’s Council, with no mention of any “gay issue.” I could not believe it.

I will paraphrase from *The Velvet Rage* by Alan Downs: The truth is that I grew up disabled. Not disabled by my homosexuality, but emotionally disabled by an environment that taught me that I was unacceptable, not a “real” man and therefore shameful.

As a young boy learning to fish in the Danvers Mill Pond, I readily internalized those strong feelings of shame into a core belief: I am unacceptably flawed. It crippled my sense of self and prevented me from following the normal, healthy stages of adolescent development. I was consumed with the task of hiding the fundamental truth of myself from others around me—first my family, then my town, then the prep, my college, my profession . . . everyone and everything. I pretended all the while to be something I wasn’t. At the time, to me, it was the only way that I could survive. It was really lonely.

I have seen lots of change. I am very proud of the town of Danvers and its diversity committee. When I was elected town moderator, Selectman David McKenna noted with a smile of his own pride that the town of Danvers had elected “an openly gay moderator.” The courts in Massachusetts have been leaders in protecting the sensitivities of lesbian and gay people by, according to us, full dignity as human beings. It was a long-time coming. Sometimes the progress boggles my mind.

I’ve come a long way, but I still struggle daily with remnants of the shame camouflage that wrapped me for the first half century of my life. The fact that the city of my birth celebrates gay pride is a spiritual homecoming for me. I’m very grateful. And I will continue to try to do my part, as one single human being, to free the world of unearned guilt and shame.

Many LGBT persons still live in a cave of terror. I will try to change this. Frankly, I think that the Salem event will contribute greatly to my hopes.

For the first 40 years of my life, I never knew that I knew another gay or lesbian person. I never discussed the shame that polluted me spiritually and emotionally. Some 40 percent of my person was invisible to those around me and, indeed, to a great extent, to me.

I experience this Salem gay pride event as celebrating and affirming me as a whole and worthy person and a proud son of the city of Salem. Public pride is a good thing for me.



## JOHN ARROWOOD

“Gay Appellate Judge Quietly Makes History.” With this headline on the front page of the local section of *The Charlotte Observer* and *The News and Observer*—the newspapers of record in North Carolina’s two largest cities—the citizens of North Carolina knew that, for the first time, an openly gay person held a statewide elective office in North Carolina. I did not start my legal career with the goal of being the first openly gay statewide elective officeholder in my state. However, my desire to serve as an appellate judge certainly influenced my decision to be more open about my sexual orientation.

I began my legal career in the early 1980s as a law clerk at the North Carolina Court of Appeals, where I later served as the Court’s staff director. When I left the Court of Appeals in 1989 to enter private practice at James, McElroy and Diehl, P.A. in Charlotte, I hoped that one day I would be able to return as a judge.

A vacancy occurred at the Court of Appeals in 1994, and, even though I was young, I asked Governor James B. Hunt to consider appointing me to fill the vacancy. I made the final cut of three that the Governor interviewed, but I did not receive the appointment. Nevertheless, the Governor had nice things to say when he called, and ended by saying something to the effect, “you are young and there are going to be a lot more opportunities.”

I was disappointed about not receiving the appointment, but, in the back of my mind, somewhat relieved. I was not yet “out,” so to speak, though I had begun to become active in the gay social scene in Charlotte. I was worried that if I had been appointed, someone would decide to “out” me. That fear caused me to decide it was time to become much more open about my sexual orientation. I did not want to worry about the prospect of being “outed”—if the opportunity to assume the bench reemerged, I wanted to be in position of being able to manage that news.

I went and talked to the senior partners in my law firm. While the most senior litigation partner said something to the effect of “this is going to take some getting accustomed to,” the firm was very supportive. I am sure that, on some level, they already knew. This was borne out by a conversation I had with a colleague, who made partner the same year I did, about whether she thought one of our mutual friends knew I was gay. Her very telling observation was that folks assume a successful attorney, in his late thirties, who is active in the community and doesn’t appear at social occasions with a date is gay.

Having decided to be open about my sexual orientation, I continued to be active in civic and political life. I served on the Board of Trustees of the Mint Museum of Art, the North Carolina Arts Council, the North Carolina Banking

Commission, and the Board of Directors of the North Carolina Railroad Company. I also served on the Board of Equality North Carolina and chaired its Political Action Committee. I was also active in the Democratic Party. I was elected as a delegate to three Democratic National Conventions. I was the Authorized Representative for delegate selection for the North Carolina Gore 2000. At each successive convention, I noticed that the fact I was gay was less a novelty to my fellow delegates and, in fact, some wanted to get to know me better so they could get into the “better (gay) parties.” I also served on the Board of Directors for the Charlotte Urban Ministries. I became comfortable balancing my sexual orientation and my spiritual life as an active member of St. Peter’s Episcopal Church.

When I turned 50 in late 2006, I decided that it was again time to set my sights on returning to the North Carolina Court of Appeals. I informed Governor Michael F. Easley’s staff and other political friends of my interest. In early 2007, when there was a vacancy for a Special Superior Court, the Governor offered the position to me. I gratefully accepted with the thought that I would run as a candidate for a Court of Appeals judgeship in the 2008 elections. As fate would have it, a Court of Appeals Judge from Charlotte unexpectedly resigned in the summer of 2007, and the Governor appointed me to the seat.

When I arrived at the Court, I found that my sexual orientation was a non-issue to the great majority of my colleagues. The newspaper articles put to rest any of the gossip or questions that might have accompanied my appointment. While cordial, at least one (and maybe more) of my more conservative colleagues was said to be actively recruiting someone to run against me in the 2008 election. That may have been because of my party affiliation as much as my sexual orientation.

I do not believe that my sexual orientation in any way affected how I did my job.

The folks seeking to find a candidate to oppose me were successful. They recruited an attorney who had the same ballot name as a long-term sitting Court of Appeals Judge who had also served many years in the North Carolina General Assembly to run against me.

In the race to retain my seat, I was pleased to receive the endorsement of both the Plaintiff and Defense bar groups. I also received endorsements from every newspaper in North Carolina that made endorsements in the race. My opponent never raised my sexual orientation in the race; however, there were attacks from several conservative and “profamily” groups on the Internet. Indeed, the fact that I was gay judge was presented as a reason why North Carolina needed to adopt a constitutional amendment to ban gay marriage. There was no amendment on the ballot during my tenure; however, in the May 2012 Primary there was such a constitutional amendment and I saw some blog postings again



citing me as to why we needed an amendment, despite the fact that I had not been on the bench for 4 years.

I lost my race and resumed practicing law at James, McElroy & Diehl, P.A. The one thing that I hope my tenure on the bench did for LGBT law students and attorneys would be to convince them that their sexual orientation should not cause them to shy away from pursuing their dreams.

## GARY SCHUMANN

I was born 50 years ago in a small southern Texas town. Because of the rural, conservative area where I grew up—and the time in which I was living—I had no access to information, resources, or mentors to explain to me what it meant to be “gay.” I ended up marrying and fathering two children. I tried to live the life of a traditional “straight” family man. I became involved in my church and community, and I eventually founded my own successful law firm with over a dozen law partners and offices in multiple cities.

However, as time progressed it became more and more difficult for me to deny such a fundamental part of my identity. With the advent of the Internet and access to information about the LGBT community, and the great strides in acceptance of LGBT persons, living a closeted dishonest life became increasingly difficult. I finally made the great leap and came out as a gay man. It was a very internally traumatic experience. I divorced, and I had to wholly reestablish my identity with my family, friends, and in my professional community.

The process of “coming out” for someone of my age and for someone who had maintained a prominent public and professional profile was a complex year-long journey. I was incredibly fortunate to have the support of my law partners. I will never forget the day that I walked down the long hallway of my office, and stepped in to each of my law partners offices, closed the door, sat down, and said, “I’m gay.” Without exception, everyone offered their support and encouragement. In fact, people were so encouraging, that I felt somewhat stupid and embarrassed for having had such trepidation about being honest with my friends and peers.

But what truly helped me reestablish my identity as an open, honest, gay man were the friends and social networks that I quickly developed in the LGBT legal community. I soon learned that my story was extraordinarily common. I encountered many, many other men who, like me, had lived unhappy closeted lives because they could not believe that change was possible. For an older man—coming out not only involves reestablishing your family and social relationships—it also involves having to present yourself in a new light within your professional community. I quickly befriended other out successful LGBT lawyers in my community. I looked to them for support and mentoring. When I first came out, I found it extremely helpful to attend the LGBT Law Section meetings at the Texas State Bar Convention. That experience inspired me to form a steering committee to create an LGBT Bar Association in my own community in Austin, Texas. In 2011, when we approached the executive director of the local bar association in Austin about forming an LGBT section, her

response was, “I was wondering when someone was going to ask about doing that—it’s about time!”

This last year, I served as President of the Austin LGBT Bar Association. We conduct regular luncheon CLE seminars on legal issues unique to the LGBT community. Our Association has grown to over 90 members. We have hosted judges and politicians at our social events—and our motto is “Serving as an Example for Professionalism.” I have taken particular pride in our mentoring program with the LGBT students at the University of Texas School of Law. These students are encouraged by seeing out LGBT persons employed in our city’s biggest law firms.

In short, coming out as a gay man has been an extraordinary boost to both my personal happiness and my professional life. I have found that promoting LGBT legal issues and LGBT civil rights through official bar section involvement is the most effective way to make LGBT bigotry seem unacceptable and antiquated.

I would encourage the many other lawyers who still remain in the closet to rethink their situation—and to not underestimate the ability of their family, friends, and professional peers to welcome and embrace them for who they really are. I would also encourage LGBT attorneys to become heavily involved in the many professional LGBT bar sections and other legal organizations that have been started in the last several years. My experience has shown me that involvement in LGBT legal advocacy is a quick way to create a great network of LGBT friends and professional peers—and to effectuate the change necessary so that the next generation of lawyers will never feel compelled to hide their LGBT status.



## MARY C. ELLISON

I was pulled out of the closet in 1985, several years after Stonewall and many years before any substantial civil rights legislation protecting LGBT people was passed, in a small town in the Midwest that prides itself on its “traditional, yet progressive” values. While much has changed in my hometown over the years, it was anything but progressive in 1985. A classmate told her mother of the “rumors” about my sexual orientation, and that mother took it upon herself to call my parents, a college professor, and Lutheran chaplain, to spread the news. On the evening of the fated call, my parents sat me down at the kitchen counter and calmly repeated the hearsay like prosecutors cross-examining their witness. “Are the rumors true? Are you a lesbian?” Perhaps this is when a lawyerly strand of DNA sent a message to my brain and caused me to ask a question in response: “You told me never to lie right?” “Of course,” they answered, and I made my admission that yes, I was. I remember thinking, “there are six weeks of high school left, and then you will go to college where things will be better.” But, my classmates literally shunned me, my family rejected me, and my church and community ostracized me.

Fast forward to 1989. I graduated from a Lutheran (yes, my parents did think a religious education might “cure” me), liberal arts school that many only know about from the “Golden Girls” with a double major in Psychology and Family Studies, and a concentration in Women’s Studies. Rather than fulfilling my parents’ hopes for a “cure,” my heart and mind were opened to new ideas of what it meant to have faith, what it meant to work for social justice, and a desire, after an urban studies term abroad in Scandinavia, to explore the world and learn about its diverse peoples, cultures, religions, and even sexual orientations. Sure, I struggled in college and tried to be “straight,” but was saved by an accepting ally of a roommate who helped me embrace myself.

After college, I moved to the nearest big city and joined a more progressive church where I learned about “liberation theology” and how it was used by people in Latin America to find their own voice in an oppressive monolithic church. I jumped at the chance to travel with some fellow congregants to El Salvador and Nicaragua on an educational trip where we would have the chance to see “liberation theology” in action in the lives of refugees and displaced persons affected by conflict and civil war and LGBT persons affected by a discrimination and inequality. Little did I know that this new strand of experience would fire a synapse in my brain for my avocation, and later, my vocation.

For most people, poetry is abstract and inaccessible, perhaps a bit like the law is to others. But hearing the stories of the “mothers of the disappeared” in



El Salvador, and HIV-AIDS prevention workers in Nicaragua was very real. It made my heart beat faster and my head spin to know how they struggled to give voice to their missing, and likely tortured and killed, loved ones; or to those dying from lack of medical care and a lack of social structures to recognize and support them. I not only felt compassion because I understood what it felt like to have lost loved ones and to have struggled to find acceptance but also a sense that what was happening to them was unjust and should be made right. But these feelings were only lumps in my throat, not words on a page or proclaimed aloud.

I started to read other's poetry—like Pablo Neruda, a poet and diplomat—and to find in their words something of what I wanted to say: “I looked for a drop of water,/ of honey, of blood: everything/ had been turned into stone,/ into sheer rock:/teardrop or raindrop, the water/kept running into stone. . . .” I also resolved to write my own poems: to “teach the stones to talk,” “carve out a space for myself,” and “peel back the silence kept too long.” I learned about poet-activists like Muriel Rukeyser and Adrienne Rich, herself a lesbian, both of whom strived to write out of their convictions that individuals and society must awake and hear the anguished voices of their “brothers and sisters.”

I suppose it should have come as no surprise that I would not be satisfied with being a voice only for myself, and that I would have to find a way to be a voice for those whose stories I now carried with me, like the women at a refugee camp in El Salvador. In a poem I wrote shortly after the trip, I described how “beneath the blue plastic tarps and thatched roofs/they gather all the flour they can find, the remaining ears/ of corn not yet ground, cart it to the communal kitchen/ where hands press tortillas flat/ like helicopter's landing pads/ while blades circle and slice the air.” I would need to find a way to walk in other's shoes and to seek justice for them. I would need to fight for the freedom of which John F. Kennedy Jr., spoke: “Freedom is indivisible, and when one man is enslaved, all are not free.”

In my law school application, I described my trip to Central America and desire to work for human rights. But, I never thought it would happen because the legal profession is a competitive place and I had debts to repay. I have been extremely privileged and honored to have had opportunities to speak on behalf of those unable to hire a lawyer; to learn the criminal justice system clerking for a judge; and to advocate for the rights of refugees, immigrants, victims of violence, and human trafficking.

I have been fortunate to meet many courageous survivors of human trafficking and modern-day slavery who have come from across the globe, exploited and enslaved against their will by strangers, spouses and loved ones, employers, labor recruiters, and others seeking their own financial gain. Despite the scars

left by traffickers, I have seen the resilience of the human spirit in survivors who have graduated from English as a second language courses, found jobs, moved into their own homes, married, had children, and achieved what we all want and need—dignity, equality, and freedom. I have had the honor of testifying before state legislatures and the US Congress on behalf of these survivors to advocate for changes in law and policy to better protect them, bring their perpetrators to justice, and to prevent this heinous crime and grave human rights violation.

I had no idea that coming out in a small Midwestern town, and traveling to Central America, would lead to me finding my avocation in poetry, and my vocation in the law. But being a lesbian and advocating for those whose voices have been silenced by fear weaves together in the strands of my DNA, the firing synapses in my brain, and life-changing experiences in a way that makes sense to me. Not only that, it has forged a path I freely choose, and to which I feel called in spite of, or because of who I am: a poet and a human rights lawyer. I am proud and honored to be a member of the legal profession because of who we are and can be together.

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## GWEN MARCUS

I like to say my boss outed me to me. It's not that I didn't know I was a lesbian. (By that point I had been living with my partner (now spouse), Nancy, for 10 years.) But I didn't know my boss knew. I had been closeted at work since 1981 when Nancy and I met as young associates at Paul, Weiss, Rifkind, Wharton & Garrison. We were used to hiding and thought we were pretty good at it. Apparently not, since someone at Paul, Weiss knew someone at my current employer, Showtime Networks, and unbeknownst to me, all my efforts at keeping this huge part of my life secret were completely for naught.

Why, one may ask, did I try so hard to keep it quiet, especially since I was working with progressive people at an entertainment company in an industry with a tradition of being welcoming to LGBT people?

It was a different era when I graduated from law school in 1981. It was hard enough back then for woman associates, in our severe skirt suits and ridiculous little bow ties, to be taken seriously, trying to get high profile assignments as the men in our class did (I failed miserably at this). The thought of imposing that additional layer of "otherness" on top of my womanness struck me as career suicide.

So I stayed quiet, even though at the time I joined Showtime, it boasted the first TV sitcom to feature a gay man as its leading character, as opposed to the quirky sidekick. But back then, being closeted in corporate settings was the norm. Too often, we found out who was gay at work through a most horrifying way: men would start to lose weight, get mysteriously sick for long stretches at a time, and when they returned to work—if they returned—they'd look decades older, until the day they left for good.

The irony, of course, was that staying quiet at Showtime was destructive not only to my mental health generally, but to my career specifically. I couldn't join in typical water cooler banter about my social life. As a woman lawyer in unhip clothes, I was already at risk of being perceived as unfun and schoolmarmish. By not talking about my social life, I was unwittingly communicating that I had none, that I was "married to my job." Not only did I not freely engage with coworkers, I shunned the spotlight for fear of being found out. I avoided legal and industry conferences, I avoided public speaking—all the networking opportunities so crucial to a young lawyer's career.

But the truly low point came when my fear of exposure left me vulnerable to what I perceived was both a blackmail threat and the greatest challenge to my professional integrity. A colleague's secretary walked into my office one day, closed the door, and announced out of the blue that she knew I was gay



and had a sexual dream about me. She had recently been put on probation for poor job performance, and I believed she was setting me up in order to save her job. Had she been able to convince people that the top lawyer at the network was guilty of sexual harassment, my job, and possibly my entire career, would have been at risk. Fortunately, I was able to diffuse the situation: I had the presence of mind, first to open the door immediately, and then to come out to Human Resources. That should have been a sign for me to come out fully, once and for all. But it wasn't and I didn't, and, as I noted, it took my boss to come out for me.

It was the early 1990s and Showtime had embarked on one of the first corporate diversity programs. To his credit, my boss knew the program should encompass not only issues of gender, race, and ethnicity but also sexual orientation, and that LGBT people had to be specifically, affirmatively, expressly, and repeatedly included<sup>1</sup>—or otherwise they would not feel comfortable coming out and being their “authentic selves”—essential for people to focus on their work and excel at their jobs.

My boss also knew if one of his senior managers remained closeted, that aspect of our diversity program would be doomed. So he sat me down, explained that to make his initiative successful, he would need his senior management team to be fully supportive and require *all* of us to lead by example. I got it and agreed.

Not only was it the right thing to do for my company's diversity program, but the truly unexpected happened. My career took off like never before, and over the years my being out has led to an expansion of my responsibilities, both at work and beyond, and has allowed me to help fulfill a lawyer's mandate to work for the public good.

I became a leader in my company's diversity efforts. I became a go-to in-house expert when we made an effort to program to underserved audiences, including Showtime's ground-breaking LGBT-themed hit series, “Queer as Folk” and “The L Word.” I became active in the nonprofit sector where I currently serve as Board Cochair of the New York LGBT Community Center. And feeling increasingly comfortable in my own skin, I became a frequent speaker on

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<sup>1</sup> Some corporate diversity programs do not expressly include LGBT people, and extend outreach programs only to women and people of color. Often this is because well-intentioned human resources executives can easily identify who the women and employees of color are, but do not know how to identify LGBT employees. LGBT diversity may not be visible, but if LGBT people are not expressly included in corporate diversity programs, and if LGBT issues are not openly talked about in the workplace, LGBT employees will feel excluded from the very diversity programs that are designed to be inclusive. It's bad enough we are sometimes made to feel as minorities vis-à-vis the majority culture, but it's worse when we're made to feel like minorities *viz.* a minority culture.

LGBT issues at legal and industry conferences<sup>2</sup>. My proudest moments as a lawyer have included my involvement in CBS Corporation's (Showtime's parent company) decision to sign onto amicus briefs challenging the constitutionality of the so-called Defense of Marriage Act, and *Inside Counsel*'s request that I address LGBT issues before an audience of lawyers at the magazine's First Annual Transformative Leadership Awards dinner in 2010. That evening I shared what it was like at work when I was closeted (obsessing 24/7 about who knew what) and how different it was once I came out professionally: I'm not only happier, but more confident, and therefore more effective at my job. That's the message I try to give scared gay kids just out of law school who want to work, say, in a Wall Street firm or closeted associates who want to make partner—that success is not only possible but more likely—assuming your colleagues are fair-minded—if you're not constantly hiding or ashamed of who you are.

The biggest irony of all? Instead of being career-limiting, being out was career-enhancing. I feel blessed that—in the context of my corporate in-house legal job—I've been able to mentor others, work to promote equality and fairness, and, yes, hang out with the cast of “The L Word.” What's not to like?

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<sup>2</sup> Panel appearances have included Law and Reorder, “Personal Career Branding: How to be the Artistic Director of Your Legal Career”, 2012; Minority Corporate Counsel Association/Annual Creating Pathways to Diversity Conference, “Who's the Boss?”, 2011; The Wharton School (University of Pennsylvania), Annual Women in Business Conference, 2010; and the Ark Group, “At the Forefront of Diversity: Advancing, Retaining and Managing LGBT Lawyers”, 2011



## JOSEPHINE ROSS

### “The Law Clerk’s Bombshell”

I have been the first openly gay person at most jobs I have had since law school. There were often other gay employees before me, but they remained in the closet, coming out to me secretly many months after I came out to them. Back in the 1980s, coming out was a political act. Attitudes needed to change if gay people were going to get rid of the stigma of sodomy laws and pass laws guaranteeing minimum protections in the work place and public accommodations. When my partner and I had a child, coming out became imperative for a different reason, for if I was ashamed of my family, then I would be failing our son.

In 1984, I started my first legal job, a law clerk for the trial court of New Hampshire. I was already in a committed relationship with the woman I was to marry 20 years later. I commuted back and forth to Cambridge on weekends, getting 40 miles per gallon in my tiny car. Although not out on my resume, I came out to the judges I was working with about 2 months into the job. We were all in chambers, discussing some of the cases of the day and one of the judges started to say something that started with “those homosexuals . . .” It was going to be insulting, personally insulting, and I didn’t want to hear it so I said brightly that gay people tend to use the word gay rather than homosexual to describe themselves. There was silence and everyone looked at me, so I said I knew this firsthand because I was gay. No one knew what to say so they put on their robes and went back out to their courtrooms and I went back to writing.

A few weeks later, a judge from another county told his clerk about a statewide judge’s meeting where they “discussed the law clerk’s bombshell,” meaning my coming out. So while it must have been hard on some judges, the judges who knew me seemed totally fine after they processed the revelation. This was New Hampshire, and most of the judges prided themselves on being conservative. More importantly, 1984 was long before *Lawrence v. Texas* (2003) decided sodomy laws were unconstitutional. It was even before *Bowers v. Hardwick* (1986) where the Supreme Court approved of sodomy laws, and where the majority (through Justice Byron White) displayed its contempt for gay men, reducing all gay people to participants in immoral homosexual acts. Justice Powell, the swing vote then, would later express regret for his decision and explain that he had never met a gay person. Of course some of Justice Powell’s clerks had been gay; they just had not come out to him.

The Massachusetts Gay and Lesbian Bar Association formed the same year I clerked. Even though I worked in New Hampshire, I ran for a seat on the first



board and I served for 9 years, as gay lawyers became more and more accepted. One of the Bar Association's founders, Dermott Meagher, was sworn in as the first openly gay judge in Massachusetts in 1989.

The following year I started my career as a public defender at an office in Worcester, Massachusetts. I came out to my colleagues as soon I could see an opening. A few of us were out for dinner one night and when I came out they immediately assured me my "secret" was safe with them. They promised not to tell anyone. They also recommended I not tell anyone else, especially not any prosecutors. I told them they were free to share this about me with our colleagues.

Two weeks later I found an opportunity to come out to the head of the office. He was surprised but accepting. "Don't worry" he assured me, "your secret is safe with me. I won't tell anyone else in the office." I thanked him but explained that everyone in the office knew. "I am the last one to find out?" asked the office chief, clearly offended that I hadn't trusted him. I explained that it just came up at dinner one night—and he and I hadn't had a conference in a while.

Still, I followed my colleagues' advice and didn't come out to the district attorneys who I chatted with every day as we waited for our cases to be called. During a plea bargaining session with a senior district attorney (who I will call Paul), he described gay men as child molesters. I was offended and told him that unlike when you make racist and sexist remarks, you have to be more careful about homophobic remarks because you don't know whom you are dealing with. For all you know, I said, the judge in our case might be gay. After this interchange, Paul decided I was gay (why else would I defend them) and he stopped dealing with me for 2 weeks. I received his plea offers through another assistant district attorney. I did not mind that at all, and the other district attorney made sure that my clients were not in any way shortchanged as a result of the tension. My office mates described how Paul started thinking that all the unmarried lawyers in my office were gay because they all stood up for me and then refused to tell him whether they were straight or gay.

Things returned to business as usual once the district attorney processed the information and realized I was not going away. However, in 1989 I freaked him out again by my happily planned pregnancy.

My belly was started to show and I was wearing ridiculously overpriced maternity wear and still that same district attorney insisted to the other prosecutors that I was not pregnant and that he knew this for a fact. In that way, I ended up coming out to all the district attorneys as both gay and pregnant at once. After a 2-week hiatus, Paul came back to dealing directly with me on my cases once again.

After I started teaching at Boston College Law School, I came back to Worcester Superior Court as a petitioner. My partner and I were the first gay family to undergo a second parent adoption in that jurisdiction and I enjoyed crafting the arguments that would allow the petition to pass with no more scrutiny than step-parent petitioners received, avoiding a home inspection that a judge in Cambridge imposed. I worked with two friends on this endeavor, both of whom are now family law judges. It was a memorable day as our 5-year-old son answered the judge's question, why we were here with: "We are going to write out that we are a family."

I now teach at Howard University School of Law where colleagues are extremely supportive. I am still the first openly gay professor, but coming out is no longer a bombshell met with embarrassed silence.



## SKIP HARSCH

How does one define their LGBT experience in the legal profession when it has defined their entire legal progression? I suppose one always starts at the beginning.

I did not come out until I was 22 years old, and I did not know I wanted to go to law school until I was 23. Like many college students, I graduated without a clue as to what I wanted to do with my life, let alone what I was going to do with a degree in biology. Unlike most graduating college students, I chose my family graduation party as my own personal coming out party. After an amazing summer of self-reflection and self-discovery, it was time to figure out what to do with my life. I grew up around lawyers. Thus it was no surprise to my father, who is also a lawyer, when I told him I was considering taking the LSAT and going to law school. Secretly I am sure he wanted to tell me to get real. Let's just say I didn't graduate at the top of my class. Despite this, he was a supportive and invaluable resource as I began studying for the LSAT and eventually deciding whether and which law school to attend.

Let's fast forward 9 months, LSAT taken and law school applications in flux. I began thinking about what the focus of my all-important personal statement would be. Having recently come out to the world and with a new-found sense of freedom, what else was I going to write about but being gay, coming to terms, and finding my way to law school. I wish I could say that the statement was a literary masterpiece, one for the ages. But honestly, writing this narrative forced me to go find the statement and it reads more like a self-aggrandizing piece of . . . well, you get the idea.

But the statement did do one thing if nothing else; it solidified my inevitable place in the legal world as an LGBT attorney. Did I know this at the time? Of course not. Would I go back and write anything different? Not in a million years. Writing a statement about being gay defined who I was to the law school I inevitably ended up attending. It gave me a title before I even started orientation. And this is where my LGBT experience really begins.

I'm going to fast forward again 2 years. I mean, who has time as a 1 or 2L to focus on much more than classes and exams. Well, classes and; drinking, high school relationships, and the spending of loan money which at the time you don't realize is actually costing you triple. I digress. I followed the normal student model: worked for a professor, wrote for a newsletter, and joined numerous students groups, only one of which I was really active, in DePaul's Outlaws group. Outlaws introduced me to the Lesbian and Gay Bar Association of Chicago (LAGBAC). LAGBAC awarded me a scholarship for a summer



internship at Lambda Legal. Interning at Lambda gave me the opportunity to meet and work with such LGBT greats as Camilla Taylor, Chris Clark, and James Madigan. Can you see where this is all going? Before even graduating from law school, my place in the LGBT legal community had been solidified. One of my proudest moments in law school was the LAGBAC event my father attended where I was presented with my scholarship award. When I look at the picture of the two of us I can see the pride in my father's face. Imagine how that feels. You've taken your diversity and turned the tables and that diversity is now a driving factor in your success. I think this has defined my entire legal career thus far.

I came out of law school at the start of the recession with no job and again no idea what I was going to do. It was like the past 4 years hadn't happened. I was the kid coming out of college again wondering what to do with my life. But now I had help from the LGBT legal community. I quickly found myself sitting as a newly elected board member of LAGBAC. Through LAGBAC I met and became friends with Mario Sullivan. Mario is one of the many people of the LGBT national legal community you should make a point of getting to know. He is not just an amazing person but also is a major reason why I am now working for the ABA. Thanks to Mario I was asked (elected? I've never been quite sure) to be one of the National LGBT Bar Association's ABaZ YLD representatives. This position introduced me to the national LGBT legal community and the ABA. As a YLD rep, I was able to jump in and help the ABA pass the same-sex marriage resolution, although the grunt work was done before I was appointed. I don't want to take credit, so much of that was Lousene Hoppe, another person you should know! It wasn't long after then I realized I wanted to call the ABA home. The association shares many of those values and ideals I find so important: commitment to diversity, commitment to professional advancement, and commitment to helping others. The ABA is a place of acceptance. One cannot help notice the overwhelming amount of diversity amongst the staff. Being in a work environment where there is total acceptance of who you are and how you live your life cannot be undervalued.

Going to work for the ABA ended my run as a YLD rep, but it in no way ended my involvement in the LGBT legal world. I have since run for and was reelected to the National LGBT Bar Association board, a position I still hold. I still sit on the LAGBAC board and will be entering my second term as association secretary. Every day I interact with and help the LGBT legal profession. Whether it is through my board work or in my current role in the ABA Center for Professional Development, where I recently put together a six-part webinar series on LGBT law, I never stop working to better the legal profession for future LGBT attorneys. It is the ultimate gratification to be able to take pride not

only in your work, but your personal endeavors. It just so happens that mine meld seamlessly together.

That's my LGBT legal story. It's still an open book and I intend for there to be many more chapters to come. I mean Illinois still, as of when I am writing this, doesn't have marriage equality!!!



## ARTHUR LEONARD

I attended law school at Harvard in 1974 to 1977, at a time when there was no lesbian/gay student group at the law school, and I wasn't even fully "out" to myself until my third year, when I finally decided to seek out the university gay student group and become active in its activities. I felt safe going to Harvard Yard, where few law students hung out, and attending those meetings where I was usually the only law student present. I stayed totally in the closet in the hiring process, coming to New York City without any gay friends there or any knowledge about the gay community, and I kept my sexual orientation a secret at my large corporate law firm employer, assuming that the truth would get me fired.

An article in *The New York Times* in October 1977 that reported about the emerging institutions of the city's gay community was my first information source, and led me to join the city's gay synagogue, where I met some other gay lawyers and law students. Out of conversations with them, I conceived the idea of trying to start some sort of organization of gay lawyers and law students. I placed an advertisement in the "personals" classified section of *The Village Voice*, which drew a handful of responses, more from students than from lawyers.

One of those who responded to my letter was William J. Thom, an openly gay partner in a small law firm, who had successfully litigated the case in which the New York courts had initially refused to approve a corporate charter for Lambda Legal Defense Fund. Bill Thom took me out to lunch and tried to persuade me not to form an organization. Lambda was enough, he said. He told me that several years earlier an attempt had been made to start a gay and lesbian bar association, and it had fallen apart quickly when people disagreed about almost every aspect of the organization. This persuaded me to limit my efforts to starting an informal social group.

The result was The New York Law Group (a suitably closeted name), which held monthly social events on Sunday evenings in members' homes. Membership consisted of giving a name and address for the mailing list, which I maintained. The group quickly grew by word of mouth from a handful in the spring of 1978 to several hundred by the early 1980s. I started adding stories about recent court decisions to the monthly letter I was sending out with the meeting schedule. In 1982 I left practice to join the faculty of New York Law School.

In the law school environment I felt more confident about the possibility of being openly gay at work, and I was not mistaken. One of the first issues I



confronted was a controversy about military recruitment. Some students had protested the year before when military recruiters were on campus, and the administration had charged a faculty committee with proposing a policy. The first faculty meeting agendas I saw that fall included a proposal to hold a referendum of the students about military recruitment. This struck me as a bad idea, and also quickened my “coming out,” as I personally lobbied faculty members to oppose the proposal and refer the issue back to committee. I got myself appointed to the committee, and we subsequently proposed a policy banning discriminatory employers from the law school’s placement office. I resumed my one-on-one colleague lobbying, and the policy was overwhelmingly approved in a secret ballot vote. In the process, of course, I became an openly gay law professor, and discovered there were other gay faculty members as well, some of whom also began edging out of the closet.

I discovered within the first weeks that a gay colleague was in the hospital with a strange ailment that turned out to be AIDS, one of the earliest cases in New York. I was one of the few members of the faculty who visited him regularly, as people in the fall of 1982 were very frightened by news reports about this “gay epidemic.” (When I visited him in the hospital, I had to wear a gown, face mask, and gloves to enter the ICU.) When he was dying and needed to have a will made, I asked a NY Law Group member who practiced in that field to assist him in the hospital, and the experience led to the formation of an AIDS Pro Bono committee.

As calls for help increased, it became apparent that the committee needed a more formal structure, and calls for assistance on other legal matters suggested that a gay community legal referral service would be a good idea. But New York state law limited the operation of legal referral services to formally chartered bar associations, so it was time for the Law Group to become a bar association. I led the process of incorporation, the selection of a name, and the appointment of an initial board, and served as the first president of what we called the Bar Association for Human Rights of Greater New York (which some members called “the Bar Association that dare not speak its name”). We had a referendum of the members on whether to include the L and G words in the name, and the vote was overwhelmingly against. People were still very frightened because there was no protection against discrimination in 1984 when we incorporated.

I had joined the NY City Bar Association’s Committee on Sex and Law after joining the law school faculty, subsequently becoming its chair and testifying on behalf of the Association at the city council hearings on the gay rights bill. When the hearings leading to the bill’s passage were held in 1986, my testimony was captured on film as part of a documentary called *Rights and Reactions*, which gave me a brief burst of local fame. I also began writing about

legal issues for the local gay press, and expanded the coverage in the monthly Bar Association for Human Rights newsletter to the publication now known as *Lesbian/Gay Law Notes*.

My experiences inspired me to become active in helping to build a formal infrastructure for the gay community. In 1979 I helped to start the Cornell Gay and Lesbian Alumni Association. During the 1980s, I served on the legal committee and the board of Lambda Legal Defense Fund, and subsequently served on the Board of the Center for Lesbian & Gay Studies at City University of New York. In 1983, I helped to start the section on Gay and Lesbian Legal Issues of the Association of American Law Schools, and served as an officer when an LGBT alumni group was formed within the Harvard Law School Association. I attended the founding meeting of the National LGBT Bar Association, and have spoken frequently at its annual Lavender Law conferences. I served together with Justice Joan B. Lobis, one of New York City's earliest openly lesbian judges, as first cochairs of the New York City Bar Association's Committee on Lesbians and Gay Men in the Legal Profession, and I also served on the Association's AIDS committee. I am coauthor of a casebook on AIDS law and a casebook on sexuality and the law, and much of my published scholarship has been on LGBT law. I still edit and write most of the monthly publication of *Lesbian/Gay Law Notes*.

Looking back now, I note with some irony that several attorneys at my first firm were also closeted gay people, but today that firm, Kelley Drye & Warren, has a particularly gay-supportive reputation, with openly gay partners and associates taking an active role in the organized LGBT bar (including leadership roles with the National LGBT Bar Association). In 2009, 30 years after I met my own same-sex partner, we were legally married in the state of Connecticut, something of which I could barely dream when we met in 1979 and the Law Group was just an informal social group.



## STEPHEN HOMER

For the past almost 9 years, I've been teaching legal writing at the University of New Mexico School of Law. When I began teaching, I didn't have a sense of how "out" I could be in the classroom. This was both because I wasn't sure where the limits were, and because I hadn't yet figured out how to make it relevant to the subject matter. It wasn't a question of what the law school would or wouldn't accept—UNM is a progressive place and generally comfortable for LGBT people. It was more a question of what I could do or say around the fact of my homosexuality without alienating my students. I didn't fear their disapproval. What I worried about was the practical reality that it could be very painful to teach a class for a whole semester when you've lost the trust of the students. So I was tentative. I offered the occasional joke here and there, but not much else.

What surprised me, even with that fairly timid approach, was that every semester a few students would feel the need to comment about it on my student evaluations. "Professor Homer wears his sexuality on his sleeve," one student wrote, while giving me very low scores for professionalism and classroom presentation. Another student, referring to the tiny number of jokes I made that had some gay content, described the semester as, essentially, a nonstop barrage of unwelcome information about my personal life and my seeming fascination with drag. I can only assume the latter came from a joke I often make early in the semester about how "stare decisis" might make a good drag name. (In my mind, it's "Starry DeCisis," and she lip-synchs the big Supreme Court cases to the tune of songs by Barbra, or Liza—or Chër! OK, so the act is still a work in progress. . . .)

This happened every semester—every semester there was some comment about me and my homosexuality, some student who gave me abysmal scores for professionalism—and I got to thinking: who am I teaching to? Most of my students give me excellent evaluations, notwithstanding corny jokes about stare decisis and drag names. *They're* not afraid of a little gay humor, so why am I worrying about the tiny minority of students who literally can't see past the slightest allusion to my being gay? It's not like I was at all closeted in any other part of my life. I came out when I was 15 (in 1979) and I've been out ever since. And I came out the hard way: for example, one of the events that greeted my coming out was being shoved into a garbage can at Boy Scout camp and held there while all of the campers dumped their food on me. I tried to walk home after that—and would have, too, if it hadn't been hundreds of miles away.

So by the time I found myself in front of a law school classroom, things had very definitely gotten better for me. I trusted myself to create a gay presence in



the classroom in a way that enhanced the learning experience. And after all, I have gay and lesbian students who need me to model a successful life as a gay lawyer much more than other students need to be protected from their own homophobia.

But how to do it? As I'm out on the law school's Website, and have been since I started at UNM, it's not like the information itself was a mystery. An obvious choice was to add LGBT people as parties in all of my writing assignments. Usually, their status as LGBT people isn't directly related to the legal troubles they find themselves in, and I do that on purpose. Partially, this is because many of the legal issues that confront LGBT people as such have constitutional dimensions, which are challenging for first-year law students. But it's mainly because I want them to understand that LGBT people don't exist only as victims of discrimination. We also wind up breaching our contracts, or worrying about whether harmful evidence will be admitted, or refusing to pay child support.

That part was easy. But there was still the matter of National Coming Out Day. I felt for a long time that I wanted to say something in class about it—that it wasn't enough to have information about my gayness be available passively, or to have them deal with the travails of imaginary LGBT people. They also needed to know, directly and explicitly, that they were learning how to be lawyers at the hands of a real, live gay man. But at the same time, I wasn't interested in giving an apologetic coming-out speech ("There is something I want to tell you, and I hope you won't disapprove," etc.).

And then it hit me: come out about something else. Now I give them a short speech—played for full dramatic effect—about how I am a square dancer, and how I hope that they'll still like me after finding out. I tell them, and it's a true story, that I was encouraged to take up square dancing for 11 years, and for 11 years I refused. I refused because I feared that other people would disapprove. And so for 11 years I missed out on all the pleasure square dancing gives me. Was it worth it? Not hardly. I tell them that the value of coming out lies in truly and fully living the life each of us was given. Authenticity is the only real path to happiness. And that *is* relevant to them as first-year law students, because they so often get submerged in legal discourse.

Just to make sure that they get the point, I finish by telling them that I am as gay as a \$333 bill. It gets a laugh, it breaks the ice—and my evaluations have never been better.

## ANTHONY INFANTI

For me, being an openly gay man has simultaneously been a source of great professional frustration *and* great professional satisfaction. Prior to entering academia, I was out in the workplace at the firms where I practiced tax law in New York City. I did encounter some issues and problems with being openly gay in the law firm setting, but I had no sense of what exactly my life would be like in an academic setting. There is often talk of ivory towers and liberal bias in academia, but then similar things are said of places like New York City. As it turned out, academia made it both easier and harder for me to be an openly gay man.

My education on what it's like to be openly gay in academia began rather quickly. I would not be surprised if a few (or more than a few) law schools did not call me to interview at the AALS hiring conference because I was forthrightly out on my faculty appointments register (FAR) form. But it's always difficult to know for certain whether that's the case. Yet, when I attended the hiring conference in the fall of 1999, the talk among the LGBT faculty and would-be faculty was about a certain religious law school that had circulated a questionnaire to applicants that, in effect, asked them to affirm that they were *not* LGBT. I never received that questionnaire—possibly because I had already answered the question in the “wrong” way on my FAR form.

However, more direct evidence that being openly gay would affect my academic employment prospects was not long to follow. At the hiring conference, one law school spent a portion of my interview telling me how, were I to take a position at their law school, they could assure me that I would be safe while on campus but could not say how safe I would be off campus. Were they serious? I don't mean to question whether they truthfully assessed the prevalence of bias crimes, harassment, or other safety-related issues for the LGBT community in the area where this school is located. What I question is their motivation in inviting me to interview at all. Was I invited so that they could say that they had interviewed an openly gay man to satisfy some constituency looking for diversity on their faculty? Or were they really just that clueless?

Even giving these interviewers the benefit of the doubt, I felt like getting up right then and there and thanking them for wasting my time. I wanted to teach law, but with what had happened to Matthew Shepard fresh in my mind (I attended the hiring conference just 1 year after his death), being in constant fear of attack because of my sexual orientation seemed like a less-than-favorable



atmosphere in which to become a nurturing (as opposed to a dead or maimed) law teacher.

At another law school that I interviewed with, I found the faculty to be welcoming and accepting of me as an openly gay man—both in the initial interview at the hiring conference and in my interactions with them during my callback interview on campus. The students, however, were another story. At each school where I had a callback interview, I met with a group of students. This group of students quickly made it clear that the student body would be less welcoming and accepting than the faculty. In fact, one student clearly and specifically told me in this group interview that my “mere presence” at the school would “create waves.” No one contradicted him. Obviously, I was a bit too out of the closet for the students’ taste.

Eventually that fall, I did land an academic position at the University of Pittsburgh. The faculty and students were quite welcoming in my interviews, selling me on Pittsburgh as a nice, livable city with a great gay community. At that time, the larger university was somewhat less welcoming, what with it actively resisting litigation to extend health benefits to the domestic partners of its LGBT faculty and staff, notwithstanding a city of Pittsburgh ordinance banning employment discrimination on the basis of sexual orientation. The good news is not only that the university ultimately did relent and extend health benefits to the domestic partners of faculty and staff, but that I continued to feel accepted and nurtured by the faculty, staff, and students at the law school after beginning work.

I began my scholarly career writing in the area of international and comparative tax law, which is the area of tax law in which I practiced before entering academia. Over the course of a few years, I naturally found myself migrating toward writing in the area of critical tax theory, which, in my case, meant that I began examining how the tax laws impact the lives of LGBT individuals (as well as other historically disempowered groups). Rather than despairing at my shift away from more “mainstream” writing in the tax area to being a “tax crit,” my colleagues actively encouraged this move.

After reading some of my early scholarship in this area, one of my colleagues remarked to me that she felt that I had found “my voice.” She was careful to explain both that she didn’t mean that I hadn’t had a voice before and that she was in no way trying to be dismissive of my prior work. Rather, she explained that the work that I was now doing as a tax crit better reflected my personality and interests—that she now actually saw *me* in my work. Early in my career, I was also truly lucky to have Richard Delgado and Jean Stefancic as colleagues. They were both extremely supportive of my work and helped to nurture me as a scholar. For that, I will always be grateful to them.



My road to—and through—legal academia has not always been an easy one. Despite the talk of ivory towers and liberal bias, I have encountered no fewer ups and downs on this road than I have on the other roads that I have traveled in my life. But, in their own way, these ups and downs have made the point at which I now find myself—as a tenured professor and an academic dean—all the more satisfying.

## SCOTT SQUILLACE

When I was a corporate lawyer for a fairly traditional manufacturing company in Boston, I would often visit factories in the United States and other parts of the world. On those trips, I would typically have dinner with the General Manager and other senior team members following the site visit and without fail would be asked about my wife. I now (proudly) wear a traditional gold wedding band on my left hand—and therefore, everyone assumes I am married to a woman. I’ve learned over time that coming out is a process, not an event.

When I first started to practice law at a small New York-based law firm called Skadden Arps, I was convinced I had to play along (and stay in the closet.) I started in their DC office doing traditional corporate M&A and finance work. I was around the investment banker crowd during that “go-go” era of the 1980s when it was cooler to smoke cigars and drink expensive wine than it was to talk about my boyfriend. Firm events were held at country clubs and as a single guy—I was often seated next to single women. I distinctly remember one partner’s wife who sort of took me on as her mission—to find me a nice girl. . . .

I quickly learned, however, that if there were ever a large New York law firm where it was OK to be out and gay—it was at Skadden Arps. Although I started out in the DC office, I soon migrated to working with a forward-thinking international corporate finance team based in the New York office who had among other terrific people an openly gay partner (who had joined Skadden from a less-progressive NY firm.). They not only welcomed me—but were terrific about including my then series of boyfriends into the various social events that occurred.

I was asked to move to Paris in 1991 to help open the firm’s Paris office and again in 1992 to Moscow to help open that office. Being gay was the least of anyone’s concern. We were more keen on establishing a quality presence in these two new major cities and doing good work. The worst was behind me. Being out in Paris was like a duck in water; Moscow was another story at the time. . . .

After several years in Europe, it was time (according to the firm) to return to New York and hunker down on the prepartner track and I resisted. Not only did I never intend to stay in a large firm so long (6+ years)—but I always thought I wanted to go “in-house” and tried desperately to do so from/within Europe. I was far from done with my experience in Europe after only 3 years. I was fortunate to be recruited by Levi Strauss & Co., to be their Chief European Counsel in Brussels. Here again, I couldn’t have landed in a better place to be



an openly gay lawyer. Not only was it accepted—it was celebrated as part of the company’s important focus on diversity. I did, however, have to come out—each time I met a new colleague.

Only after returning to the States (nearly 10 years in Europe) did I sort of go back into the closet as I looked for my next in-house “gig.” (Levi’s didn’t have a position for me back in San Francisco, and I was determined to continue in the corporate in-house world.)

I landed with a rather traditional Boston-based manufacturing company, Cabot Corporation, again as European Counsel spending time in my old stomping grounds of Paris and Brussels. At this point in my life, I was ready to settle down with the man I loved and had become fairly actively involved in the Equal Marriage efforts in Massachusetts, serving on the Board of MassEquality—the group that did all the lobbying efforts to help preserve the very first gay marriage case in the country.

Each time I met with a new outside counsel or internal business colleague, I had to decide whether to “come out” when asked whether I was married. The short answer to that question was easy—“yes” ! But I always hastened to add “to a man” just to be clear. I sometimes felt as though others perceived this to be TMI—but—as a general rule—there was usually the positive reaction of “oh, my” or “interesting.” Over time the novelty wore off and, in part, since I live and work in Boston, Massachusetts, it is increasingly normalized so that a typical response now might be—“oh, and what does he do” or (my personal favorite) “do you guys have kids?” (For the record, we decided we prefer being uncles . . .)

Now it’s less of an issue since I shifted gears in my professional life to do estate planning. In 2007, just after getting married, I decided to “hang-a-shingle” and start my own boutique trust and estate law firm specializing in planning for same-sex couples. It is clearly an emerging area of the law, and I’ve found a strong need for compassionate, yet sophisticated tax and estate planning for gay and lesbian couples not only in Massachusetts but elsewhere.

My husband works with me (the subject of another essay . . .), doing the “everything else.” He is the firm’s Chief Operating Officer and Senior Paralegal, and we now have a small firm with four other lawyers and four paralegals. We focus on planning for LGBTQ people and their families and have become very “out” about it. I currently cochair Boston’s new endowment fund for our community—which is housed at The Boston Foundation—a traditional philanthropic organization in Boston—about to celebrate its hundredth anniversary with hundreds of millions of assets in trust for important causes in and around Boston.

It has been an honor to be let into the lives of our clients, helping with important work to protect their assets and families. When I travel around the country to attend conferences on estate planning—I meet a variety of people and still have to make that split-second decision about how much information they really want to know about my personal life—when asked whether I’m married or what my wife does. I proudly wear my gold wedding band wherever I am and fortunately, when I’m home in Boston it is more often the case that I just finished speaking at the Boston Estate Planning Council or some other professional group about planning for same-sex couples and now becomes evident that the ring I wear represents my commitment to my husband, not my wife.



## LAWRENCE BEST

In the spring of 1949, a future out and proud gay lawyer was born in the quiet deeply southern town of McComb, Mississippi. As the boy grew, he recognized he was different and not like the other boys. Rough and tumble was not his style . . . playing house was more like it for him. At 7, his best friend took away his new bicycle reducing him to tears as he ran home to his grandmother for help and consolation. Neither was given, nor even considered. “Don’t be such a sissy. Go down there and take it back. Hit him if you have to, but I won’t hear ‘I can’t’!” And so he did, though it did not actually come to blows that day. On other days in the years to come, in other battles, it would.

So he learned to try to fit his square peg self into the round hole expected for him. He did not succeed and suffered with anxiety, inferiority, inadequacy, and profound alienation. Still, he was a good student which offered some hope of a better life, a way out, and some kind of respectable life in the distant future where he would not be assaulted with “sissy.” Other terms such as “fairy,” “fruit,” “queer,” and “faggot,” however, were destined to come his way later on. He learned to hear those words even when unspoken . . . even when not thought. Eventually, his own internal voice learned to use those same words as he internalized the derision and scorn of too many others.

As time passed his ambitions grew and he knew he wanted to succeed . . . really to be respectable. He began to think that if he could just manage a family, a luxurious home with a swimming pool, and a flashy car that life just might become tolerable. Then and only then would others respect him so he could respect himself. He would need a lucrative career. He would also need to seal up this alien defective part of himself that was attracted to men and somehow manage to ignore it as if it did not exist. He would simply never act on it. Surely it could be done. It would be done.

He began Tulane University School of Law in 1971 immediately after marrying his high school sweetheart. He borrowed the money for his education and she supported them both with her misplaced love and her full-time jobs.

In spite of the recession of 1974 and a dearth of legal openings, he got a job with a litigation firm in Houma, Louisiana through a connection with a family friend. He’d wanted to go into real estate law, but had to take this position or nothing. He really had no idea what litigation was or what it demanded. What he learned was that it terrified him and involved “rough and tumble” of a different sort, for which he felt no more equipped.

However, three children followed and hard work was demanded to support a growing family. He did what he had to do and became a civil defense litigator. He focused on the tasks before him each day and labored on because to

fail would have meant intolerable humiliation to a young man who was already humiliated each and every time he looked in the mirror.

His senior partner was a well-known plaintiff oilfield litigator who taught him everything he knew, but only by example and without instruction whatsoever. So he watched and learned. Although he handled mostly defense cases, he also tried “dog” plaintiff cases assigned to him and lost the early ones.

However, after a few years in the very early 1980s, he reached a turning point when he won a federal court Jones Act plaintiff trial against a prominent defense attorney. He rejected the \$20,000 offered in settlement and got a jury verdict of \$120,000, a result thought impossible by both the defense and his own senior partners. Months later, one of the jurors saw him on the street and spoke to him. She complimented him on his presentation, conviction, and passion.

Success came, including a home he designed with a swimming pool and three luxury cars in the driveway. More success followed over the years to come, but his internal disconnect and lack of wholeness persisted. After 20 years of faithful marriage, his life, as he knew it, collapsed at 42 years of age when he realized he could not go on for even one more day. The stress, anxiety, and depression of the closet had become too much to bear.

In 1991, I came out to my wife and children, aged 15, 13, and 9, and embarked on a new life; finally and at long last an authentic and whole life. We separated and I soon met the man who would become my husband. We married with family and friends in attendance in 2001 in Vermont after it legalized same-sex civil unions. New Orleans Federal District Court Judge Helen (Ginger) Berrigan (a personal friend and former civil rights and gay rights activist herself) officiated with a Vermont Justice of the Peace. She later invited Kory and I to be her guests at a US Fifth Circuit Judicial conference where, to the best of our knowledge, we were the first invited openly gay couple. Kory and I have now been together 21 years. I love him. It is that simple.

After coming out, I immediately became a vocal and sometimes very public gay rights activist as a member of the Louisiana Forum for Equality and the Human Rights Campaign among other organizations. My young children saw my frequent letters to newspaper editors published and saw me on television interviews about gay rights. None of this was easy for them, but they bravely soldiered on and perhaps even understood. They all now support my activism and are activists as well, each in their own way.

Professionally, I managed to keep my many oilfield defense clients, although I would paint too rosy a picture if I did not admit to business reversals that resulted from my coming out. Many underwriters just did not want to do business with openly gay people in the early 1990s; not that they would admit that to my face. In some quarters that persists. Still, I have survived and prospered. I have been a full-time marine and energy plaintiffs’ personal injury



attorney for many years now. Judges and lawyers have been unfailing respectful and polite. Many have been frankly supportive.

I have been a member of the Louisiana Association of Defense Counsel since 1977 or so. Kory and I attended our first LADC Annual CLE tip in 1998 as an openly gay couple. We have traveled widely with them ever since and have made many close friendships. We are still the only gay couple on these trips, but we have always been welcomed with open arms. None of this is what I expected in 1991, when I was convinced I would lose my practice.

Instead, by 2012, I was named to Louisiana Super Lawyers. One of my sons is now a lawyer with an excellent firm here in New Orleans. The other is a successful tech entrepreneur. Their sister is a writer and also cofounder of The Gay Dad Project (<http://www.gaydadproject.org/>), a Web-based organization to assist children with a gay parent. I am so proud of each of them.

My trial work is still characterized by intensity, zeal, and passion. I sometimes tear up in closing arguments, though not by plan or design. But now I know where all that courtroom passion comes from. You see, every time I speak to a jury, though it appears I am fighting hard for my client, I am really just fighting for myself . . . fighting for my very life. I am literally acting out and channeling the rage and indignation I have always felt over the mistreatment and persecution that accompanied my natural sexual orientation. I absolutely refuse to be a victim and in turn, I absolutely refuse to let the defendant victimize my client. My courtroom righteous indignation and truly felt anger and passion benefit my clients, but really . . . it is just me standing up as proud and strong as I can for the frightened and rejected little sissy who was deathly afraid to fight.

## ERIN WRIGHT

I identify as the often-ignored portion of the LGBT community—queer. My identity is based squarely on my belief that there is not a gender dichotomy but rather a spectrum across which most people can easily comply *enough* with the going standards for male or female behavior and others simply cannot. My identity is further based on my belief in the less-novel concept popularized by Alfred Kinsey regarding the inaccurate homosexual/heterosexual dichotomy. I consider myself female enough. I just happen to love men, women, transmen, transwomen, and people in between. Most people fit *enough* into the hetero, LGB, or T labels, which is why most people do not need a paragraph to explain their sexual identity or expression.

I've been aware of my identity since I was a child and have been expressing it off and on since high school to anyone who cares to listen. I was a passionate child; I recall having a "Question Authority" bumper sticker on my wall when I was in middle school. My mother firmly believed I would become an attorney one day because I loved to argue my point and seek out truth. Eventually I did make my way into the practice of law but never quite settled into it. I failed to find myself within the profession and have since moved on to assisting others in that quest.

As a former practicing attorney and current law school administrator, the expression of my identity has been a constant and evolving issue. Depending on whom I'm dating and how well they fit into the heteronormative standards preferred by society, I've chosen to be louder to identify or could sit quietly with my self-chosen label on my sleeve. I went to a conservative, religious law school where I was so closeted I didn't even bother thinking about my sexuality. In the face of a school where an LGBT student group could not be recognized and there is no sexual orientation protection in the nondiscrimination clause (never mind gender identity or expression!), there was little room to explore my nature and, lucky me, I was married to a hetero-aligned male at the time, so I could hang easy in my closet.

During law school and after graduation, I worked for a fairly conservative law firm in Indiana. I say "fairly," but that's according to local standards. In reality, there were a few liberal, wonderful colleagues among a stifling atmosphere of intolerance. I was questioned and called out for being a feminist and an atheist. I was asked by another associate why I bothered to be a good person at all if I didn't fear the wrath of god. I assure you this was not an attempt to have an open dialogue. I demanded a sensitivity training course after an associate made racist comments about African-American clients. Without anyone



making one gay comment, positive or negative, it was absolutely clear, in an atmosphere where I was ridiculed merely for being a feminist, that I should keep my identity quiet or face an intolerable working environment. I struggled within that position. I struggled to find my stride, to bill enough hours though I worked many weekends, to fit in with the culture of the firm. A lot of this I can now attribute to simply not being able to be myself. At the time, however, I just knew I felt incredibly unhappy and uncomfortable.

A number of years ago, I was fortunate in the midst of unfortunate circumstances to move back to New England, not far from where I grew up. I had recently been through a divorce and then my father was diagnosed with terminal cancer. I took about a full day to determine that I was returning home to live, regardless of the consequences. My firm supported this decision and even allowed me to work remotely until I found a new position. This type of support was not unheard of, though I questioned how happy they were to accommodate me knowing full well they would no longer have to tolerate my liberal leanings.

Upon moving, I quickly made the life-altering decision to work in academia. I applied for a number of positions and was lucky to fall into a position in career services at a law school. In retrospect, I am unsure why I was hired; I now know how to interview like a champion but had no idea what that involved at the time. I think it might've been the spirit I possessed; interviewing for a position about which you feel passionate is a very unique experience. Accepting the position set me on a path of self-discovery. It's difficult to advise people about their life paths without considering your own.

I was fully aware that the academy is known to be liberal and progressive, but I had no idea the extensive impact this would have on my life. I quickly felt safe and comfortable exploring my identity and expression of that identity. I attended Lavender Law as a Vice Chair of the LGBT Section of the National Association for Law Placement (NALP), where I worked with others to set up counseling sessions for the LGBT students attending the career fair. That's all it took and I began to flourish. It's as though a dam has broken; I cannot possibly be out enough to enough people in enough situations. I cannot do enough to participate and make a change. Once I started looking, I discovered so many ways to be involved in the community and to help others who remain in fear of their identity or the repercussions for coming out. Now that I've begun to tap into my passion, I've started advancing in my career on a local and national scale, currently chairing NALP's LGBT section and working closely with the National LGBT Bar Association to promote and organize aspects of the Lavender Law Career Fair and Conference. I have drafted LGBT-related articles for NALP's bulletin, participated in panels at both the NALP and Lavender Law conferences, and have been working hard to be a voice in the community

dedicated to standing up for those who have yet to find their voice or who have temporarily lost it. This stems both from my experiences in conservative environments and my identity as a queer woman. These experiences demand it of me.





# 2

## Trailblazing Advocacy

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*Lawyers have always zealously advocated and worked to promote social change. Ranging from marriage equality to youth issues, to numerous other matters, these lawyers' essays tell a story of efforts that have yielded lasting impacts for generations to come. For many of these lawyers, their advocacy for advancing issues facing LBGT individuals is inextricably tied to their personal and professional journeys as LGBT professionals. While some relay surprisingly "easy" paths, others detail the substantial challenges and difficulties encountered in the past and even in today's relatively progressive social and political environment. The successes described in these works are to be celebrated and also provide valuable lessons and encouragement for the next generation of trailblazers.*



## KATHERINE TRIANTAFILLOU, ESQ.

I realized I was attracted to women in high school but I didn't identify as a lesbian until much later. In the mid-1960s in the small Midwestern town where I grew up, just the *idea* of homosexuality caused me anxiety despite the fact that our society was on the cusp of the so-called sexual revolution. I continued to believe I would meet the right man, marry, have a career, and possibly children, all the while engaging in secret albeit tender same-sex relations. Thus began for me the kind of schizophrenic existence shared by many LGBT people of a certain age: outwardly "heteronormal," but hiding the most intimate parts of ourselves, believing somehow that the feelings would go away or change. There were no role models of healthy happy gay people to emulate; there were bad movies in which the lesbian "predator" character is killed (*The Fox*) and a book called *The Well of Loneliness*, the title of which ostensibly captured what was in store for me. It is difficult to convey the sense of isolation I felt growing up or the amount of wasted energy involved with hiding my sexual orientation. I was not shuttled off to a mental institution and given ECT like others I know, but the impact on my psychological well-being was enormous and took years of therapy to undo such internalized homophobia. It also affected my legal career in dramatic ways.

I did not grow up with a burning desire to practice law. I wanted to be President of the United States and make the world a better place. Going to law school seemed like a practical way to begin such a journey and when I left the Midwest for the east coast, I harbored the illusion that my feelings for women could be denied in perpetuity and that I could pursue my dreams unfettered by public opprobrium. In my mind, I was not "one of them,"—them being the stereotypical unattractive, uneducated, masculine dykes socializing in out-of-the-way bars any normal person would avoid. Fortunately, by the time I reached the end of law school in the relative safety of the Boston lesbian and gay community, I came out politically, claiming the label lesbian. I realized I had to confront once and for all the issue of my personal authenticity. The realization that I could no longer hide who I was and be a fully integrated human being carried with it the equally potent realization that, at the time, mainstream politics would be impossible. This was in 1975—well before Barney Frank and Gerry Studds acknowledged their homosexuality in a storm of scandal.

Rather than accept the judicial clerkship I was offered with an appellate judge in Ohio, I decided to stay in Boston and start my own law practice. (There were no jobs for "out" lesbians wanting to help other lesbians.) And thus, I became the first openly gay person to practice law privately in Massachusetts, throwing myself into the challenge of addressing homophobia in the legal and

political world. Whereas before I hid from all things “queer,” I proudly and openly declared my orientation. Although I created what is known as a general practice—accepting a variety of cases from wills to divorce to criminal defense—my focus was on gay and lesbian issues and feminist issues. I had no money, huge law school debts, and no family connections, and used my teeny apartment on Beacon Hill as an office. But because there were no openly gay lawyers, I attracted many clients merely because people were looking for a lawyer with whom they could feel comfortable.

One of my first cases was as a volunteer for the Civil Liberties Union of Massachusetts where I helped defend two women thrown out of the Army for their sexual orientation. (Then, the Army conducted aggressive campaigns to rid its ranks of suspected lesbians in a surreal and ugly reprise of *The Crucible*.) I also volunteered at a shelter for battered women—one of the first in the country—and ended up providing 24-hour-a-day legal advice to women fleeing abusive husbands. As a result of both of those affiliations, I became a sought-after “expert” and participated in many seminars, panels, radio, and television shows talking about homophobia and wife abuse. The resulting personal publicity helped grow my practice (although that was not my intention) and provided me an opportunity to engage in cutting-edge litigation that was important to our community.

For example, when former Boston Mayor Kevin White refused to issue a permit for the annual gay pride parade in the early 1980s, I was one of the attorneys who sued him; when a prize-winning lesbian journalist was fired from her job at *The Christian Science Monitor*, I represented her; when a married doctor with children was arrested for lewd and lascivious behavior at a rest stop, I represented him; when gay couples worried how they would protect each other in case of death or illness, I drafted their wills and powers of attorney or represented them when they obtained divorces; when a gay man with AIDS was brutally beaten by a homophobic teenager, then charged with assault and battery with a dangerous weapon, I represented him. Moreover, when politicians ran for office or were in office, I worked with groups, pressuring them to publicly support gay issues, or issue executive orders, or adopt antidiscrimination legislation. When demonstrators chained themselves to seats in the State House protesting the failure of the legislature to pass our antidiscrimination law, I represented them. When a group of lesbians staged a “sleep-in” at the entrance to the Governor’s office protesting the removal of foster children from the home of two gay men, I represented them. I also produced and cohosted *Closest Space*, one of the first and oldest radio shows with gay content in the United States.

I was the cofounder and first cochair of the Massachusetts Lesbian and Gay Bar Association and the National Lesbian and Gay Law Association. I was



one of the original people who created the Lavender Law Conference, geared toward the practical training of LGBT lawyers. I wrote and self-published *Do Your Own No-Fault Divorce* and training manuals for shelter advocates helping battered women. I coauthored the Abuse Prevention Act, a national model for obtaining restraining orders. In 1993, I won a landmark case, *Adoption of Tammy*, which established the right of gay people to jointly adopt in Massachusetts. And finally, in 1994, I began my first term as the first openly lesbian City Councilor in the City of Cambridge.

The 20 years between 1975 and 1995 were indeed exciting times, with endless opportunities for creative lawyering. There was so much to do and so few people doing it; it is hard for activists today to imagine a period of our history when one could read every law review article written on LGBT issues in an hour! I feel privileged to have been a part of that history and revel now in the amazing strides we have made since the days when I was described in the *Boston Globe* as the “lesbian lawyer.”

## MARY L. BONAUTO

Ten years ago, in November 2003, the Massachusetts Supreme Judicial Court broke a historic barrier and ruled that same-sex couples can legally marry. That Court lifted up so many of us with its sweeping affirmation of “the dignity and equality of all individuals.” It interpreted the constitution as forbidding “the creation of second-class citizens.” It upheld personal liberty as both “freedom from” “government intrusion in protected spheres of life” as well as “freedom to” partake in state-created benefits “for the common good. And it condemned the “deep and scarring hardship” created by the marriage ban as lacking any rational basis.

In my capacity as an attorney for the Boston-based Gay & Lesbian Advocates & Defenders (GLAD), I was lead counsel for the seven plaintiff couples in that case, known as *Goodridge v. Dept. of Public Health*, and I was deeply involved in the efforts to defend the decision in the courts, against proposed constitutional amendments in the legislature, and in the robust public discussion locally and nationally. It was an inspirational yet fraught period in which many people found common ground with the LGBT community in the principles of equality and liberty the decision articulated, while others desperately sought to thwart and override it. Since no justice movement really takes wing until all three government branches and the court of public opinion are involved, I want to recount briefly the actions of others in the particularly molten environment of Massachusetts during the six-month stay before the decision was implemented in May 2004. What I saw is that we can never underestimate the power of principle in our fights for equal justice under law. My reflection thus goes to, if I may paraphrase Supreme Court Justice Kennedy, the enduring ability of our constitutional promises of equality and liberty to inspire every generation in its search for greater freedom, and doing so, to paraphrase Supreme Court Justice Ginsburg, moves us forward on an American journey of extending constitutional rights and protections to those who were once ignored or excluded.

Let me set the stage. Beginning in the late 1980s, a number of legislative actions ensured that gay people were protected from discrimination in housing, employment, public accommodations and at school, and enhanced penalties for bias crimes against gay people. We made progress on family-related issues in the courts. Despite that progress, before we filed *Goodridge*, the Massachusetts Legislature had failed to pass even a simple domestic partnership bill authorizing cities and towns to provide health insurance benefits, largely because of the opposition of the iron-fisted and socially conservative House Speaker. In the late 1990s, under the pretense of a “threat” from Hawaii, bills were filed in every legislature to bar marriage and sometimes more. With significant efforts,



we defeated those measures, but in 2001 the right wing upped the ante with a citizen's initiative for a constitutional amendment to ban marriage and more. That, too, went down to defeat in a procedural maneuver by Senate President Thomas Birmingham who refused to dignify such a blatantly discriminatory measure with a vote. But another attempt at a constitutional amendment—this one filed by a legislator—soon followed. This amendment was awaiting legislative action at the time the *Goodridge* was decided in November 2003.

The principles announced in *Goodridge* mattered to both sides. Within seconds of the Court's decision, the right wing pounced on the decision and the Court, and just as quickly, those hearing the vindication of our common humanity rose to defend it.

The state legislature was due to convene in constitutional convention in early 2004 on the existing proposed constitutional marriage ban, a measure that would have to be approved by a majority of two consecutive legislatures before being put to voters on a statewide ballot. The first legal attack on *Goodridge*, however, came from the State Senate. Senate leadership drafted a civil union bill that prior to *Goodridge* never saw the light of day and asked the Supreme Judicial Court for an advisory opinion about whether civil unions would pass muster under *Goodridge*. Those supposedly in the know spoke of a "weak" majority and the possibility of "peeling off" one of the four justices in the *Goodridge* majority. Whether GLAD, the Boston Bar Association, the Massachusetts Bar Association, the many minority bar associations, or the 90 law professors who joined a brief by Laurence Tribe and Marty Ledereman, the amici were of one voice: *Goodridge* was courageous and constitutionally correct, and there is no substitute for marriage. And the Court majority held, "The bill would have the effect of maintaining and fostering a stigma of exclusion that the Constitution prohibits," the justices wrote in their advisory opinion. "It would deny to same-sex 'spouses' only a status that is specially recognized in society and has significant social and other advantages. The Massachusetts Constitution, as was explained in the *Goodridge* opinion, does not permit such invidious discrimination, no matter how well intentioned."

This was the first legal salvo, but others followed. To the Court's enduring credit, in decisions responding to three other lawsuits seeking to invalidate *Goodridge*, the entire Court hewed to the rule of law and refused to block implementation of *Goodridge*. The fifth and final ruling came in a federal court "guarantee clause" challenge that worked its way through the federal appellate system and was not resolved by the Supreme Court until the Friday evening before marriages were to commence on Monday morning.

The legislature's first constitutional convention came the day after the court's advisory opinion, and our opponents were madder than ever. Consider then, the power of principle as demonstrated by newly elected legislators like

Barbara L'Italien, a Democrat elected in a Republican leaning district, who sat down with me and several of her colleagues to talk before the convention started. She resolved then and there to do the right thing no matter what the response from her district. Or consider the sheer bravery of Senator Marian Walsh, a member of the Democratic leadership and a conservative Catholic who tended to be on the other side of whatever LGBT people were seeking, and whose strongest organizational supporters (e.g., Massachusetts Family Institute and the Catholic Church) were our fiercest organizational opponents. When she took to the floor, she spoke first of the constitution, and then her discomfort at the position those principles forced her to take. "My level of comfort is not the appropriate monitor for the constitutional rights of my constituents," she stated, and she survived the ostracization by her former supporters and multiple (unsuccessful) attempts to unseat her. More surprise testimony came from veteran Republican lawmaker Shaun Kelly, whose floor speech opposing the amendment began with "This is for Liz," meaning out lesbian lawmaker Liz Malia of Boston. Representative Kelly could not square the promises of our state constitution with an amendment that would make his friend Liz "ninetenths of a citizen."

Governors played an enormous role in the debate too. Starting on the day of the ruling, Governor Mitt Romney fomented opposition, invited extreme anti-LGBT groups to Massachusetts, and likened the *Goodridge* ruling to the infamous *Dred Scott* case. He used his bully pulpit to advocate for state and national constitutional marriage bans. When the legislature in 2004 approved of an amendment replacing marriage with civil unions, he pledged a million dollars of his own money to defeat promarriage incumbents and elect legislators who would approve of a total marriage ban.

In the meantime, on May 17, 2004, marriages started happening. The joy was palpable. Couples dedicated for decades could finally marry. And the rituals were familiar, not alien. The Massachusetts community witnessed weddings and folded LGBT people in in new ways. Legislators had never been in the crosshairs as much as they were on the marriages issues, but more than one said, "I looked into the eyes of these constituents, and I realized they are a family." Opposition was melting away. When the new legislature convened in constitutional convention in 2005, the sponsor of the civil union "compromise" urged defeat of his own amendment, and, since the equality side maintained and grew supporters through the 2004 elections (despite Governor Romney's efforts), the legislature with more marriage supporters who agreed and ended that round of amendment fights.

After defeat of the legislatively sponsored amendment, citizens initiated yet another constitutional amendment ban in 2005. This amendment required support of only 25 percent of legislators in two successive legislatures to go



forward, and it passed the first round in late 2006. Our goal, then, was to ensure we could garner the support of more than three-fourths of the Massachusetts Legislature in the final round in 2007, after the fall elections. What a difference a Governor makes. Newly elected Governor Deval Patrick had pledged to be “a governor who sets a tone of inclusion, a tone of mutual respect” who recognizes “there are talents and contributions to be made, to be gained, in every community.” With his support, and with the heart-to-heart conversations between legislators and constituents, with the quiet conversations between clergy and legislators, with discovering that same-sex couples marrying was a good thing, the legislature defeated the marriage ban in June 2007 with overwhelming bipartisan support. The mixture of joy, relief, and pride—in our community’s ability to defend *Goodridge* from years of attacks, and in Massachusetts for affirming once and for all that our constitution does stand for dignity and equality of all—was overwhelming.

Going forward now to seek a national resolution of the marriage issue, and with it the indefensibility of anti-LGBT discrimination, let us remember that people and principles can still overcome tradition, fears, and prejudice.

## VICKIE HENRY

Did being an out lesbian affect my career trajectory? Absolutely! The career I built for myself was shaped by strategic choices along the way, each conscious of my identity and values, and a little luck. Before joining Gay & Lesbian Advocates & Defenders as a Senior Staff Attorney, I was an equity partner at a large law firm.

I turned down the City of Boston Law Department to intern for Mary Bonauto, who we all now know as a civil rights pioneer, for the summer between my first and second years of law school, in 1991. GLAD's offices then were a bit rough, and Mary was a young lawyer. But her talent and passion for the work were evident and I wanted to be part of that. Back then we were working to have unmarried couples be recognized as family. It was a different time.

When applying for clerkships, I did my research and prioritized finding a great judge. I went to work for Denise R. Johnson of the Vermont Supreme Court, even though I knew nobody in Vermont at the time. My decision was confirmed when, just before I started, Justice Johnson authored *In re B.L.V.B.*, the first case in the United States to allow second-parent adoption. In 1999, of course, the Court decided the marriage case *Baker v. State*. With my recent experience clerking, I was honored to play a small role in mootng the attorney who argued the case. Clerking gives you a window, at the earliest part of your career, into the mind of the judiciary. Plus, you can reverse mentor your judge about the community. Justice Johnson concurred in *Baker*, but would have redressed the constitutional violations by giving the remedy requested: marriage equality.

My early career was not all smooth sailing. For my second summer, I could not get a job offer in Boston to save my life. Being an out lesbian was a factor. I went west to a law firm in the San Francisco area. By 1996, Boston was different and I received offers from two prestigious firms. I chose Foley Hoag, where I eventually became an equity partner. My practice focused on commercial and intellectual property litigation. I had originally planned to work at a big firm for 3 years. I liked the work and the people much more than I anticipated, and 3 years became 16.

I chose Foley carefully, and that has made all the difference. It offered domestic partnership benefits in 1996, when everyone did not. I did not need the benefit at that time but I rightly took it as a sign of positive culture. I also checked the membership directory of the Massachusetts LGBTQ Bar Association. Foley Hoag was smaller than my other choice, but had twice as many attorneys in the directory. Today's litmus tests might include what pro bono work the firm does, the firm's score on the Human Rights Campaign's Equality



Index, and whether the firm grosses up to address tax inequalities imposed by the federal Defense of Marriage Act (DOMA) that I hope will be in the dustbin of history after the Supreme Court's anticipated June 2013 ruling in *Windsor v. USA*.

One thing I had not counted on at work was that I would have to come out over and over for nearly 20 years. Unless you practice LGBTQ law, you have to decide with every client, cocounsel and opposing counsel, whether and when to come out. Even today, until people stop assuming everyone is straight, it still is an issue.

The "C word"—clients—may be an LGBTQ lawyer's biggest challenge. After I made partner, two of my partners came to me on separate occasions and, after much hemming and hawing, each said that he was concerned with including me on a pitch team because he perceived that the client would not want to work with an LGBTQ attorney. Both were important clients with challenging work. I was able to continue forward with one of the clients, but avoided the other. I did not want to interfere with an important business relationship for my partner or firm, and focused on greener pastures. In my mind, I thank those partners for coming to me with their fears. While it was awkward, they gave me a chance. I wonder still whether I missed out on other potential work because of unspoken fear of client bias?

Opposing counsel can also be tricky, too; you do not choose them, and in my type of work, you could be married to them for years. I did have one trying experience with a cocounsel to whom I came out after 2 years of working together. We rarely discussed our personal lives but at some point when I was pregnant, the subject came up. I would never lie, so I came out. He never spoke to me again.

Despite these challenges, I do not think the answer is to not be out at work (and happily, that is the road not taken more and more these days). I learned to weigh risk, comfort, and the importance of openness when choosing where to work, which clients to pursue, and what to share.

Being out at work can also bring its own advantages. Much of the business I brought to the firm came from connections I made through the Massachusetts LGBTQ Bar Association (and business generation is essential to equity partnership). I also had a few clients who wanted to help me because they wanted to make a world where an out lesbian could succeed. I even had one client in the 1990s who was especially nice to me after figuring out that I was a lesbian. I learned that his brother had died of AIDS in the early part of the epidemic. Nobody in the family had known the brother was gay until he died. The client vowed to treat any gay person he met thereafter very well. I was the first one to cross his path. That was truly lovely.

With a big firm platform, I also had the opportunity to do thrilling pro bono work, including authoring amicus briefs in all of the Massachusetts marriage cases: *Goodridge*, *Opinion of the Justices*, and *Cote-Whitacre*. My colleagues and I also served as cocounsel with GLAD in the first multi-plaintiff strategic challenge to the Defense of Marriage Act, *Gill v. Office of Personnel Management*. Apparently it went well, as GLAD offered me a job.

What a luxury it is to be at GLAD, where it is my job is to fight for equality. I'm not trying to squeeze those efforts around fee-generating work. I am leading GLAD's youth initiative, doing the legal work to make sure it gets better, for youth in schools, in out-of-home settings, and in the juvenile justice system. GLAD was the first to win marriage equality, and we continue to lead the way to full, lived equality for the LGBTQ community. Even with marriage in all six New England states, much work remains.



## LINDA DIAZ

Somewhere between revolution and reformation lies the future. As a law student, I wrote a research paper on “Critical Legal Studies” with that introductory phrase, and nearly 25 years later that phrase aptly describes my experiences as a LGBTQ legal rights advocate. During an internship at Lambda Legal Defense’s Family Law Project, one of my first assignments was legal research in preparation for the case of *Alison D. v. Virginia M.*, 77 NY2d 651, 572 NE2d 27, 569 NYS2d 586 (1991). Alison D. sought visitation rights with the child whom she coparented with her former partner, the child’s biological mother. Paula Ettelbrick directed the project and argued that Alison D. was a de facto parent. The Court declined to accept a more inclusive definition of a parent and held that the State Legislature must change the definition of a parent in the Domestic Relation Law to address the issue of a nonbiological same-sex parent.<sup>1</sup> Legally and culturally society was not yet willing to face the reality of our changing LGBT community or protect our rights. The Court’s rejection of our passionately held, well-researched position was stinging, but dealing with that legal setback provided many lessons that I carried forward. My experience as an LGBT advocate reinforces my initial experiences as an intern. The touchstones of effective LGBT advocacy are innovative legal theory, lobbying legislative bodies, networking with LGBT professionals in your area of expertise, and encouraging LGBT cultural competency in broader legal communities. My experience at Lambda reminded me that like the Civil Rights Movement, achieving LGBT equality would be a long-, hard-fought campaign.<sup>2</sup>

Several years later, as a staff attorney at Lawyers for Children, Inc. (“LFC”), I began representing children voluntarily placed in foster care. In 1992, the Child Welfare Administration<sup>3</sup> recognized the need for secure, affirming placements for LGBT youth, but there was a profound gap between that policy statement and actual placement options for LGBT youth in care. Then as now, LGBT youth were being voluntarily placed in foster care based on familial

<sup>1</sup> In 2010, *Debra H. V. Janice R.*, 14 N.Y.3d 576, 930 N.E.2d 184, the Court revisited *Alison D.* without a change in its view of who is a parent.

<sup>2</sup> It was heartening to read a recent family court decision from Suffolk County, New York, that held that the Petitioner was not precluded by Alison D. and Debra H. from maintaining her custody petition with respect to the child born to her former domestic partner, the Respondent. See, *Estrellita A. v. Jennifer D.*, 963 N.Y.S.2d 843 (Fam. Ct. 2013). In *Estrellita A.*, the Respondent testified during a related child support proceeding that Estrellita A. was “in fact a parent” to their daughter. The Court denied the Respondent’s motion to dismiss the Petitioner’s custody petition based on judicial estoppel and the Respondent’s testimony in the child support proceeding.

<sup>3</sup> The Child Welfare Administration was the predecessor agency to the present NYC Administration for Children’s Services (ACS).

rejection. Caseworkers readily accepted voluntary placement petitions based on the parent's assertion that the youth has a "behavior problem" and failed to adhere to "family rules and curfew." The official placement narrative masked my clients' actual experience. My clients' disclosure of their sexual orientation to their parents frequently resulted in familial rejection from their homes. The rejection sometimes would be instantaneous and in other instances it was a slow, festering hatred that created a hostile home environment that endangered the youth. In the 1990s, clearly identified LGBT placements did not exist, nor was there a structured supportive LGBT network of child welfare professionals. Consistent with the racial and ethnic composition of my client caseload, most of the LGBT youth were African-American or Latino. In the 1990s, representing LGBT youth required innovative lawyering, since LGBT supportive placement options were severely limited and LGBT supportive services had to be cobbled together from community-based services. I advocated for safe, supportive placements for my LGBT clients based on the existing foster care regulations coupled with LGBT affirming services from community-based organizations. My clients and I shared a common ground that facilitated open discussion regarding issues other than legal issues. As a Puerto Rican lesbian, I understand the duality of my clients' cultural background and their experiences in the LGBT community.

Twenty years later, LGBT youth in care are confronted with a different landscape. In New York City, ACS has a Senior Advisor for LGBTQ Policy and Practice focused on creating affirming and supportive LGBT services for LGBTQ youth in care. Additionally, there is a city-funded initiative that promotes family acceptance of LGBT youth through free therapeutic services that address familial rejection and other factors that lead to the placement of LGBT youth in care.<sup>4</sup>

There are clearly identified LGBT placements, but there continues to be a disproportionate amount of homeless LGBT youth. Significant policy changes are altering the landscape for LGBT youth in care, but it is equally clear that these youth continue to experience discrimination.

As an LGBT advocate, I continually revisit the touchstones of effective advocacy. I testified before the NYC Council Committee on Youth Services and the Committees on General Welfare, Juvenile Justice, Civil Rights, and Youth Services conducting oversight of ACS' LGBTQ policies because it is essential to personalize the experiences of LGBT youth in care to governmental entities. Dismay and shock registered on the faces of the city council members as I described the homophobic slurs that a foster parent hurled at my client

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<sup>4</sup> SCO Family of Services, a contracting agency under the auspices of ACS, conducts the Family Therapy Intervention Pilot.



when he disclosed his sexual orientation to her. I continue to partner with ACS to create a new landscape where LGBT youth are part of the fabric of our community and their respective communities. Partnering with organizations to achieve change is as valuable as litigating against those same organizations when there is an absence of positive policy implementation.<sup>5</sup> I am a member of a workgroup that reviews and revises LGBT core training for ACS staff and foster parents to insure that incidents of homophobia experienced by my clients in the past are not repeated in the future.

Another fundamental component of child welfare systems that is often overlooked is data collection. Revising data collection systems in your respective child welfare agency advances the service needs of LGBTQ youth in foster care. I am a member of a workgroup that is revising ACS's data collection forms. The inclusion of Sexual Orientation Gender Identity (SOGI) questions and data collection modeled on the recommendations of the All Students Count Coalition (the "Coalition")<sup>6</sup> Youth Risk Behavior Survey (YRBS) is essential to accurately and sensitively identify the composition of the LGBT youth in care. Unlike 25 years ago, we no longer are relying on anecdotal evidence of the numbers of LGBTQ youth in foster care.

It is incumbent upon the legal community to further the progress that our LGBT community has achieved. Implementation of LGBTQ affirming policies in various legal settings is powerful and empowering to both LGBT youth and adults. Those fundamental initiatives can be further advanced by insuring that the Courthouse environment is sensitive and receptive to the LGBTQ communities it serves, promoting LGBTQ continuing legal education, and maintaining a steadfast commitment to increasing LGBT cultural competency in one's workplace. Each of these initiatives addresses the experiences of my LGBT clients and promotes a future vision where courts and child welfare systems will be LGBTQ affirming. I can think of no better legacy for the resilient LGBT youth of the past two decades.

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<sup>5</sup> LFC's LGBTQ Project was recently honored as a community partner by ACS for its commitment to promoting inclusive and safe environments for LGBTQ children, youth, and families in foster care.

<sup>6</sup> The Coalition is composed of Advocates for Youth; AIDS United; American School Health Association; Center for American Progress; Gay, Lesbian, & Straight Education Network; Gay–Straight Alliance Network, National Association for County and City Health Officials; National Coalition for LGBT Health; Sexuality Information and Education Council of the United States; The Trevor Project; and other health, education, and advocacy organizations.

## CARRINGTON M. MEAD

I first thought I wanted to be a lawyer when I was attending second grade at an elementary school inhabited by a bunch of enlisted military brats on a large military housing unit along the coast of South Carolina. It was a fleeting thought and left me later that afternoon when I shared it with my parents and my father said “Girls don’t do that! That’s a boy’s job!” I didn’t think about it again until junior college, and it would be at least another 10 years before I thought about it yet again. On this last occasion, I was driven by personal experience and burning desire to stop being limited by what others thought I could or should be doing or not doing.

I was 30 something, had an 8-year-old daughter who I had won custody of in an ugly divorce (my parents gave money to him so that he could get custody of our daughter since I had come out and was a lesbian) and a partner diagnosed with stage-four breast cancer, who was still working for the local paper as a photojournalist. However, it was painfully obvious to us that the battle would be long, but we would lose our time together eventually.

I was also enrolled in college for the third time pursuing a four-year degree. I was taking accounting classes, and realizing that it wasn’t what I wanted so I changed my major to sociology and asked my partner what she thought about my going to law school. She was supportive, and I set my trajectory while involving myself in activism for my community in many different projects and organizations.

My partner lived to see me enter law school but passed about 2 weeks before finals of my first semester. Her father then decided to have an attorney write a nasty letter to me over her camera equipment, photos, and a potential tax refund. I got to keep it all but not without having to hire an attorney to do so.

Thus, I knew what I was doing with my law degree before I attended my first day of orientation. I was going to be a voice in this southern region of oppression for people like me and families like mine.

I practice law in Northeast Florida which is often referred to by locals and visitors alike as Southern Georgia. The indigenous people of the area are accustomed to expressing their differences with the precursor “Bless your heart . . .” before they stab you with their tongue. We all know the “rules,” and everyone is expected to observe them. My people are from Savannah, Georgia, and I was raised outside of Charleston, South Carolina, so my childhood was immersed in this aura times then.

Since I am located where the panhandle and peninsula meet, I often jokingly refer to it as the armpit of the south. During dark summer nights when the



temperature and humidity are high and my patience with oppression is thin, I often find myself feeling like I am caught in a perpetual headlock.

My life as a lesbian made me an outsider which placed me outside the rules, across the boundaries and forced to live a life driven to always look from the other person's perspective. Isn't that what being a good lawyer all about?

I have used this well-honed skill as a family law, estate, and probate attorney. I have shamed other attorneys into doing the right thing in a case, even if the law allows their client to take half the house from their deceased daughter's partner of 26 years because the backward-thinking title company thought it was a mistake for two women to own a house "with joint rights of survivorship." I also told this same attorney, I would be more than happy to set a court date in front of the judge so his client could call herself a woman of God and make her argument that it was okay for her not to speak to her daughter for two decades because she was a homosexual, but claim she was entitled to half her home at the same time.

I have filed motions to strike on attorneys who file divorce pleadings against my transgendered clients alleging that my client is wasting marital assets in pursuit of "elective" surgery. These same clients freeze with fear over not just the relationships with their children, but that the threat their parents, aunts, and uncles, etc., will be "told about this" by their now-angry spouse.

I share my own experience of absolute parental and extended family rejection and assure them I am an anomaly and my family is not like theirs, so they can be sure they will not be abandoned. I also point out that despite my circumstances I have adjusted well and my life has been better than to have had to constantly deal with the bigotry of those who call themselves family but constantly punish you for being who you are.

I have been a quiet pillar of encouragement and present an example to other gay and lesbian parents who find themselves in custody battles with opposite and same-sex parents, as they fear the perceived social biases of judges and opposing counsel. Some of it is justified, much of it is not.

I chose to live my life truthfully many years ago and did not give that up when I became an attorney. I did let my buzz cut of 7 years grow out and pulled out my eyebrow ring when I entered law school, but I didn't give up speaking in a loud voice.

I do not hide my sexual orientation from my clients, many already know having heard of me through the LGBT community grape vine or from a previously satisfied customer. Others suspect and sometimes ask, and others discover it through casual conversation about families, children, and spouses.

The judges in my local area know I am gay and don't appear to care. There is one I know holds a differing opinion on the matter but is always professional and polite in his dealings with me and my clients and I with him. I politely

disqualify him from any case I may have that even remotely involves an LGBT person, and he politely recuses himself. We politely agree to disagree and see each other as human beings.

Other judges have been supportive to the extent of coming to my defense. One judge actually got up during a dinner CLE at a local Inns of Court meeting and read bar rules about unprofessional behavior when I recounted stories during a diversity training of being addressed by other attorneys as a “shim” (a she/him), a dyke, and other untoward unprofessional phrases. The judge followed it up with stating that she did not want to hear stories like that from me again.

As a child I kept my head down collecting stray coins from parking lots and store floors hoping to eventually collect enough to buy some cherished item. As an adult I keep my head up with my eyes forward, knowing opportunity is available if you recognize it. So, I collect my pennies of accomplishment and remember them during disappointments to fuel my drive to continue when all hope appears to be gone.



## KINNA CROCKER

My family moved to America from London, England, when I was 2 years old. As a first-generation Indian-American, I struggled to balance the Indian culture and teachings, with my American surroundings and expectation to excel in an American world. Growing up in Chattanooga, Tennessee, I always knew I wanted to be a lawyer. I moved to Nashville to attend Vanderbilt University and obtained an undergraduate degree in Psychology and English. It was during my college years that I realized I was a lesbian and I remained in the closet about my sexual orientation for years. As an Indian woman, and living in the South, I was prohibited by culture and by my surroundings to be myself, and to be out. When faced with the decision of where to attend law school, I focused on California and decided I would spread my wings as far as I could.

I landed in San Francisco and was provided the opportunity to experience a vibrant city, full of people who felt comfortable to express and celebrate their individuality. At the University of San Francisco School of Law, the curriculum afforded me the chance to explore diverse areas of law, including courses in environmental law, human rights law, and family law. The school also had a lesbian, gay, bisexual, and transgender (LGBT) law group, Pride Law Association, of which I eventually became the President. As I was working through my own coming out process to my family across the country, I immersed myself in learning more about the issues facing the LGBT community. I attended a rally at San Francisco City Hall where same-sex marriage proponents were staging a protest against the city's refusal to provide marriage licenses to same-sex couples. I joined the movement that day and decided to dedicate my legal studies toward helping others, and in particular, the LGBT community.

Upon graduating from law school, I moved to Sacramento. It was the best time to be in the state's capital, because the legislature was focusing on creating equal rights for LGBT individuals and couples. The passage of Assembly Bill 205, the Domestic Partnership Rights and Responsibilities Act, was monumental in providing equality to our community. That same year, California was the first legislature to affirmatively afford marriage to same-sex couples. Upon the Governor's veto of that bill, the community in Sacramento erupted in street protests and uproar about the injustice. I walked along with the community, spoke at rallies, testified at hearings in the Capitol, and organized lobby days. It was an exciting time, and I felt I was making a difference. Using the information I learned from my grassroots efforts, I assisted LGBT clients in my family law practice. For years, I counseled LGBT clients about the ever-changing status of the law as it applied to them. I worked to become the foremost expert on LGBT family law in Sacramento and was successful in helping many clients.

Being a lesbian myself, I knew of the inequalities my clients faced and could empathize with them.

In 2008, when same-sex marriage was legal for a brief moment, I married the love of my life. We had twin girls that same year, and it became even more important to me to continue the fight for marriage equality. I spent about 2 years at home with our girls and we moved to Santa Rosa to be closer to their grandparents. I am now in Santa Rosa practicing family law at my own firm, Crocker Law. I focus on helping the LGBT community navigate the still-uncertain state of the law applicable to LGBT couples, despite the landmark United States Supreme Court rulings in *Windsor* and *Perry* last year. I assist with second-parent adoptions to secure rights of same-sex parents to their children. I handle complex parentage issues, now that California law allows more than two people to be legal parents to a child. I have conducted name and gender change clinics for my local transgender community. I also created the first ever LGBT Law Section of the Sonoma County Bar Association, of which I am the chair. I had the fortune of previously serving on the board of a wonderful organization called Positive Images, which provides support to LGBT youth, and on the State Bar Committee on Sexual Orientation and Gender Identity Discrimination, and Council on Access and Fairness. My legal career and community activism have been driven by the fact that I am a lesbian and that I want to help the LGBT community. I am happy to be out and proud.



## MARGARITA GUIDOS

I was born on February 1, 1988. I was sworn in to the Second Appellate Department of New York State on January 16, 2013. There are a lot of reasons why I shouldn't have ever made it from one point to the other. On the day I was born, my family was poor. We were Hispanic. I didn't speak English until the age of 6, and I would shortly turn out to be a lesbian.

The funny thing is that no one ever told me that this was a problem. No one told me that smart-mouthed Latina girls from Queens didn't grow up to be lawyers or that we weren't supposed to grow up to marry girls either. By the time anyone bothered to tell me the news—on the campus of an elite college, far away from home—I erupted with anger.

As a result, I was 18 before I was informed that I was supposed to be uncomfortable in my own skin. And I was 21 before I realized that I didn't have to be. That year, I stumbled into my first law school internship, in the Immigrant Protection Unit of the New York Legal Assistance Group. At the beginning I was worse than useless, but somehow I folded into the camaraderie of the place, serving some of the most disenfranchised members of New York's immigrant community. Despite my sheltered upbringing, they quickly taught me how to represent victims of domestic violence and discrimination.

I never left. For the first time, I could (I had to!) speak Spanish at work. For the first time, I was out professionally. I cried when a Latina woman my age told me how her boyfriend pressed a knife to her breast, and cried again when she told me she was proud to show her young daughter a woman like me, because it proved that in this country there were no limits to what a girl could accomplish. But I was too stunned even to cry when an entirely different kind of crowd started coming through my office.

Superficially, they were like the child I had been—poor, Spanish-speaking, gay or trans, and immigrants, largely undocumented as my family once had been. Many of them had never met a lawyer, never mind a Hispanic lesbian who was a lawyer, until I showed up in their communities. I felt despair that I couldn't help them all. And then I felt angry.

The place where I grew up, a spectacularly liberal enclave of New York, was willfully ahistorical. If the lack of racism and homophobia in my Queens neighborhood was the result of benign neglect, then that same lack in my Manhattan high school was a well-meant attempt to protect us from the viciousness of the outside world.

I can't blame them for this decision, but it meant that I came late to the realization that the world could be a very dangerous place for people like me.

It had been my unique privilege to grow up safe, loved, and secure in my identity. Everyone deserves that privilege, but not everyone gets it. In this delayed recognition, I came to see not only that I had been fortunate, but that I had an obligation to those who had not been given the same gift.

I cannot change the past for these, my other selves. I cannot erase the thousand indignities that they have suffered, or undo the scars on their bodies and minds. But I can honor the kinship that we share, and lend my hands, my voice, and my pen to their fight—and mine.

Use your privilege. There is more to your gifts than you know.



## JILL MULLINS

I am sometimes jokingly refer to myself as the gayest gay I know. I have known I was gay since about the time I could walk. I realized I was a “lesbian” in high school when I made a profemale comment and a guy turned around in his seat and asked—“what are you, a lesbian?” I have been all the way out and involved in the LGBT community since college.

Despite my involvement in gay community groups, my academic and volunteer passions were focused on the female part of my identity. I spent most of my undergrad academic career focused on issues of violence against women, the history, the politics, and the policies to address the problem. My final year in college, frustrated a bit with focusing on the Violence Against Women Act and other policies that tried to address domestic violence by focusing on dealing with it after it happened, I switched began looking at Title IX and the question of whether public policy can create social change. The conclusion I reached then, and the conclusion I still believe is true, is that public policy is only as good as community willing to enforce it. When communities are behind the policies, social change will occur and the community will be empowered through the policies.

I took time off between undergraduate school and law school because I wanted to spend a more time working with the communities I planned on serving. By day I worked at a law firm, starting out as file clerk and moving up to a paralegal at a medium-sized law firm that focused on medical malpractice, reimbursement, and hospital corporate matters. By night, I volunteered with a domestic violence organization and on the domestic violence legal clinic. I also continued to be involved in the LGBT community through active involvement with the Lesbian Resource Center, writing a monthly column for the *LRC News* and facilitating 20 Something, a social and discussion group for queer women in their 20s.

I entered law school assuming I would continue to focus on women’s issues, becoming copresident of the Law Women’s Caucus my 1L year. That changed partway through my 1L year when a friend of my twin (also queer) died in a freak rainstorm that flooded her basement.

My twin had played softball with Kate and Charlene on the Lesbian Softball League. One sunny lesbian softball Sunday Seattle after a game, I heard a little about the struggle Charlene had faced making funeral arrangements for Kate and dealing with their damaged home. Despite 10 years together, they, like many couples, had never gotten around to obtaining relationship protection documents like powers of attorney.

As questions were volleyed, I realized how much people didn't understand about the protections available for their relationships. I felt this responsibility to do something to help protect my community. We (LGBT and ally legal professionals) needed to do more outreach to our community to increase awareness of the legal protections for themselves and their families, and just how easy it is to obtain many of these protections.

This led to a brainstorming session with my QLaw mentor who was also a QLaw Foundation board member and another board member and attorney-friend. We wanted to do more. We knew one of the things missing was the direct services component. We understood the way discrimination seeps into the soul of many LGBT folks, and you know you can't get married, and it's legal to discriminate on so many levels, so many people just don't have any idea what their protections are for their specific issues. What's worse is that many LGBT people are terrified of the law, terrified they will be discriminated against by lawyers, judges, and that in trying to protect themselves they will end up worse off than when they first set out.

The research began—how do we provide direct services and what direct services do we provide? Through the existence of Lavender Law, I was able to have in-person meetings with folks from Lambda Legal, NCLR, and the Transgender Law Project. Washington is also fortunate and has local impact organizations that are passionate about LGBT legal issues, including Legal Voice and the ACLU. All these organizations were generous with their time and knowledge, providing us with their information about what kind of questions they received the most and the resources they had prepared to respond to those questions.

With the work of a great group of committee members, it did not take long before we created the QLaw Foundation GLBT Legal Clinic, a specialty neighborhood legal clinic of the King County Bar Association. We provide a free half hour of legal services to the LGBT community. We meet have a monthly legal clinic and we continue to expand the services.

I am fortunate in that I live in a state like Washington. In the November 2012 elections, our citizens voted to approve the law passed by our legislature and enthusiastically signed by our governor and now we have marriage. Our Washington Law Against Discrimination protects people based on gender identity and sexual orientation. We have the policies in place. But as with Title IX, the policies are only as good as the community that is willing to be vigilant to ensure they are upheld. This means that when I lived in a less LGBT-friendly part of the state, I was going to Kennewick School Board meetings monthly making sure to put in the public record that their refusal to allow Gay Straight Alliances in the high schools was in violation of the Equal Access Act. But I



was only one small actor in a community that rallied behind the high school students to pressure and succeed in forcing the Kennewick School District board to support all its students.

All of this hard work and dedication has opened doors for me professionally. I now work at McKinley Irvin, a family law firm consistently ranked as one of the best firms nationally. They are supportive of my passion for empowering the LGBT community, particularly LGBT families. My work representing many LGBT clients allows me to continue to understand what the issues LGBT families face on a day-to-day level. As I advocate for my clients, I also learn about what else needs to be done to empower the community as a whole.

For me, my identity as a queer attorney means that I have a special responsibility in the fight for justice. I have the responsibility to be a part of a community that ensures that we not only have laws and policies that support the LGBT community, but that we empower the community to exercise their rights and responsibilities. Through the diligent efforts of our entire community, we are seeing that social change is possible.

## BETH ALLEN

Who would have thought the Oregonian antigay champion of the 1990s would have been the inspiration for me going to law school? That man was the architect of numerous antigay ballot measures in the 1990s. The pain he brought upon my state is so great, I don't even like to say his name. But, he is gone now. I am here to stay.

I decided, after the first campaign, that politicking was not for me. More importantly, I saw for the first time the role lawyers were playing in the gay rights fight. That, I determined, was where I could best use my talents to effectuate change. I went to law school in 1993 with one goal—to make the world a better place for gay and lesbian Oregonians.

When choosing a law school, I knew I wanted to remain in Oregon. I scoured the three law schools' information to see whether they had LGBT student groups. That, I thought, would show me whether I would feel safe at the school as an out lesbian. All three listed student groups. I went with the one with the best scholarship. But, to my surprise, the listed student group concerned only undergraduate students. So, my first bit of activism was to stir up the three other lesbians and one transwoman to start our own law school student group. It continues to today.

In law school, the *Baehr* ruling issued out of Hawaii. It was shocking. I, like most other gay people, had not even considered marriage as a possibility. And now a court was saying it was a constitutional right! I immediately began writing a comment on whether Oregon would recognize same-sex marriages performed in Hawaii. That work led me to become involved with other gay rights lawyer activists in Oregon and around the nation. I joined Oregon's LGBT bar organization and what is now called the National LGBT Bar and was selected as a student representative to that Board. I was awed by the lawyers I met in those organizations. As when I first came out as a lesbian, I had no idea there were so many gay lawyers and finding them was like manna to my soul.

Thus, it is that since law school I have been meeting monthly with a small group of Oregon lawyers to tackle issues as big as marriage equality and as mundane as insurance. There I learned of my own bias against gender-nonconforming people and began fighting the appalling discrimination leveled at them. I was privileged to be a part of two significant law suits related to marriage. I patiently explained to title companies that registered domestic partners were allowed to title their property "by the entirety" just as were their married customers. With the support of this group, the Oregon legislature passed a nondiscrimination law that covers not only gay and lesbian Oregonians but also transgender and other non-gender-conforming individuals in employment,



accommodation, and housing. It also passed the statewide registration law that, although not marriage, provides all the state benefits and responsibilities of marriage.

In the beginning of my career, my day job was as an associate in one of Oregon's "big" firms. While big firm life certainly had its advantages, and I appreciated the support I received for my gay rights work, I knew the time was right for a change in 2005 when my partner and I had our first child. I had often thought that I wanted to use my degree more than just on an ad hoc basis. I set out to do that by opening a law firm that focused on the day-to-day needs of the LGBT community. We process second-parent adoptions, draft estate plans that take into consideration the unique needs of gay couples, and handle the dissolutions of couples who may not marry or who have married elsewhere only to not have that marriage recognized in their own state.

As a lawyer for my community, it is difficult to ask people to pay me for what they need because often the cost is higher simply because the laws are so lacking. For example, it is gut-wrenching explaining to an old couple who had used an attorney who treated them as two single people that the money they spent did not fully protect them and that they should hire us to draft documents that make clear why they were leaving everything to each other as partners, and not as friends, or, worse yet, that their partner was not some scheming confidant, and that we needed very direct language to protect the surviving partner from the survivor's family members who never had and never would accept their relationship as legitimate, much less as having value.

It is extraordinarily frustrating and demoralizing telling a mother she has to adopt her child because only the mom who gave birth is recognized as the legal parent, and the world did not see the nonbirthing mother as a "real" parent. Although in Oregon now, both moms, if registered with the state, are named as parents on the birth certificate, second-parent adoptions remain crucial, as other states may not recognize the parentage of both based on a registration that means nothing in another state.

I cannot begin to explain the grief of a woman who comes to see me who has not adopted—often due to the price or because she had never imagined the partner with whom she raised her children would deny her parentage—and who is now being told by her ex-partner she cannot see her children. Fortunately, now, I can look that nonbirthing mother in the eye and tell her Oregon law is on her side. I get to tell her that we will get her parentage established, and she will get to see her children again. Sadly, though, I must also tell her that getting there will take time, money, and truly horrendous heartache.

And, although registration has certainly led to more fairness in the financial aspects of dissolutions of same-sex couples, many inequities remain. Many things that straight married couples take for granted still are not part of the

process for gay couples divorcing because federal law will not recognize them as having been a legal couple due to the offensively and speciously named Defense of Marriage Act.

Yes, there is still work to be done. The parallel universe gay people are required to live in remains byzantine and unjust. But, through these years, together—me, my clients, my employees, and my colleagues who fight for our rights—we made a difference. We accept and find the best alternatives for what we cannot at this moment change, but we also reject the notion that it always has to be this way. I get to meet incredible, hardworking, and true-loving people who make every day a good day to come to work. I have had the privilege to be a small part of the incredible and huge change sweeping the nation. I truly believe that when that change is complete, the world will be a better place for everyone, even for old what's-his-name.



## MYRON QUYON

### **No, I Think You Meant the Other Gay Asian Male Attorney**

Identifying as gay and Asian has impacted my career as a legal professional. In particular, coming out in law school and when the stigma of HIV was nearly as deadly as the infection itself, and also representing and dealing with issues of otherness as an Asian American attending law school in Boston in the 1990s, these issues led me to embark on a privileged journey for the past 20 years of assisting and empowering underrepresented and underserved communities.

The experiences of otherness included anti-Asian slurs yelled at me and other Asian and non-White law students often by drunken Bostonians celebrating another win at Fenway Park. But the slurs also came from educated denizens living in Greek housing for MIT students as well as older and, I assume, educated White Bostonian seniors sharing public transportation with us. I have a distinct memory of an older rider on the public transportation touching a fellow law student to prevent her from sitting next to the rider. And of course, especially in the 1990s, I still got asked “where are you from” and “your English is so good,” despite my being born in America.

As my career developed, based on my strong sexual orientation identity, I joined a state bar committee focused on sexual orientation issues and legal professionals and consumers. In fact, my active leadership in the committee enabled me to join one of the country’s preeminent LGBT nonprofit law firms. In addition, I have always believed that my hiring was directly related to the poor treatment of another gay Asian attorney who had worked there and also to beat back accusations of anti-Asian racism due to the usage of a Broadway play just 5 years ago as a fund-raising vehicle, in which the lead character used “Yellow face” to portray an Asian protagonist.

While at this nonprofit law firm, I had the privilege of representing some of the most courageous clients seeking to advance justice for all people. I also met many people who I could not assist, because even within the LGBT community, those with less means also had less ability to navigate the legal system or preserve the type of factual record required to receive legal representation. Unfortunately, I also encountered strains of the same anti-Asian sentiment in this supposedly safe space of LGBT nonprofit legal advocacy. Under the guise of mentorship, I was “mentored” to speak more slowly because of my “accent.” After the initial shock, I sought to dig deeper and found out that my senior team leaders thought that I had a “Chinese American” accent that would make it hard for our peers around the country to understand me. Although I resolved this issue quickly through my own process of a written complaint, this helped to

underscore some of the ongoing and hidden biases in any workplace, even one focused on eliminating sexual orientation and gender identity discrimination.

Some years later, after my career shift toward nonprofit leadership and management, I sought to greater develop my work on behalf of Asian Americans. In fact, as an openly gay attorney, I was able to bring much of my experience assisting English-speaking and well-to-do LGBT clients and apply that same legal experience to Asians who might be limited English proficient, refugees, seniors, or low-income. Never denying my sexual orientation, I was very fortunate to be the Midwest region's first nonprofit Asian American civil rights attorney based in Chicago. I do think that my openness about my sexual orientation made some of my Asian American partners in the region uncomfortable, but the need for legal representation and legal resources outweighed any such discomfort. A few years later, I leveraged these experiences and secured one of the few opportunities to be the executive director of a legal services organization focused on low-income, limited English-proficient Asian Pacific Americans. Again, my sexual orientation was a slight hindrance to my success. At the time, and even now, there are few openly gay and Asian executive directors in any field, let alone legal services. Thus, the very act of leading such a legal services organization was a trailblazing act.

Although being an openly gay Asian legal professional has been quite rewarding, there is still some humor in how the handful of openly gay Asian legal professionals are confused by our legal brethren and others. In particular, I have an openly gay Filipino peer who has worked on voting rights for more than the past decade. Over the years, at national conferences around the country, he has been asked about his work on affirmative action and public contracting with Asian-owned businesses. My peer likely had been confused with me and my work on public contracting affirmative action in Chicago. In addition, I have had random conference attendees ask me about voting rights work in the East Coast—likely confusing me with my voting rights peer. Finally, I experienced other humorous and dismaying encounters when I spoke at a national LGBT conference on public education. During the course of the conference that had several hundred attendees, it was clear that despite the clear physical differences between myself and two other gay Asian speakers (and there was only the three of us), random attendees would confuse us by asking the wrong gay Asian speaker for more Web resources or congratulating one of us for speaking earlier, although that was another person. In particular, I made a point of using that confusion (the attendees cannot tell the difference between three gay Asian men) to highlight some of the issues that impact LGBT Asian Americans—it is beyond the model minority myth and the otherness of being a perpetual foreigner, it is that there apparently can only be one gay Asian attorney at any one time!



In 2012, my sexual orientation has actually made me more mainstream and employable. I work in California, one of the few jurisdictions with same-sex marriage. And I married my husband here, during the window of opportunity in 2008. So my sexual orientation, that at one point placed me outside the law's recognition of my intimate relationships, now places me as a married man inside the group of privileged married individuals.

I look forward to seeing how my sexual orientation may or may not impact my career over the next 20 years.

## TANNER, GORDON

As I look back over my four-decade legal career, it is clear to me that one of its highlights was the opportunity to mentor young lawyers and other members of our nation's military services as they dealt with their own sexual orientation and its impact on their military service to the nation. As the senior nonpolitical civilian lawyer in the United States Air Force—in a three-star-rank equivalent position—I have had a front row seat at the “inside the Pentagon” deliberations surrounding the repeal of the “Don't Ask, Don't Tell” (DADT) law and the implementation of benefits for same-sex married couples by the Department of Defense (DoD) following the US Supreme Court's repeal of the Defense of Marriage Act on June 26, 2013. Even though those discussions were remarkable—and I hope that I had some influence in shaping the policy outcomes there—it was the opportunity to work one on one with LGBT lawyers and service members as a mentor to guide them through arcane DoD and military service regulations that ranks among the most rewarding experiences of my professional life.

I believe that my personal experience informed my advice to the Pentagon policy makers. As a gay man, I had served as an active duty and Reserve Judge Advocate lawyer under the DADT law and its predecessors for most of my career. Hiding my sexual orientation taught me firsthand the extraordinary personal cost and harmful mission impact that requiring such secrecy has on the military's mission and the lives of its members. A solid understanding of the legal regulations under which LGBT service members were required to serve, along with my own real-life experiences, enabled me to talk candidly and with some understanding of both the law and the personal realities with which we servicemen and women were facing.

The DADT law was detestable. It forced our military members to lie about who we were. Adm. Mike Mullen, chairman of the Joint Chiefs of Staff testified before the Senate Armed Services Committee on Tuesday, February 2, 2010, in the Dirksen Senate Office Building on the DADT repeal. Here's what he said to the Committee:

Mr. Chairman, speaking for myself and myself only, it is my personal belief that allowing gays and lesbians to serve openly would be the right thing to do. No matter how I look at this issue, I cannot escape being troubled by the fact that we have in place a policy which forces young men and women to lie about who they are in order to defend their fellow citizens. For me personally, it comes down to integrity—theirs as individuals and ours as an institution.

Our LGBT service members have always been among the brightest young men and women in the nation—and have been completely committed to serving the country as it faced challenges around the world. Yet these soldiers,



sailors, airmen, and marines were unable to publicly greet their partners or spouses as the service members returned from extended deployments around the world. And the partners and spouses who were left behind had no network of support or access to military installations or other benefits while their straight counterparts were surrounded by support networks—both financial and otherwise—while their loved ones were at the war front. Both the deployed service members and the families they left behind were often alone and afraid.

If service members dared to mention to one of their colleagues that they were gay or had a same-sex partner back home, it could have, and often did, go terribly wrong very fast. LGBT service members lived with the uncertainty that their entire professional careers would be ended if the “wrong person” found out. Even in those cases where discharge actions were unsuccessful, one’s security clearance could be immediately revoked with the result that a member would be unable to even enter his or her workplace.

Who does one trust with information that could immediately destroy your lifetime career and the well-being of your family back home? The answer was that most LGBT service members did not talk with anyone. They told their partners/spouses not to write or communicate with them for fear that their communications might be intercepted. Many service members changed the sex of their partners or spouses when they talked about them. The evolution of social media did enable service members to engage with family members and gay/straight allies, but even this communication was often undertaken with false names and blind email addresses, and fictitious Facebook or Twitter accounts. Even today many LGBT service members are more commonly known by their middle names rather than their first names as those are the ones they first used for communications during the DADT era.

Following the DADT repeal and the announcement of the US Supreme Court ruling the Defense of Marriage Act (DOMA) unconstitutional, the mainstream media missed the impact of these actions on the readiness of our soldiers, sailors, airmen, and marines to achieve their mission. The leadership of the military services has long understood that a critical key to mission accomplishment is to minimize any concerns that might distract our soldiers, sailors, airmen, and marines from focusing solely on achieving their military objectives and accomplishing their mission. Health care for themselves and their families? Covered. Good homes in safe neighborhoods for their families they left in the United States? Paid for. Support networks for straight spouses and children? Everywhere. Counseling services to deal with the tough times? Available at no cost. The importance of our ability now to provide support and a sense of community to the spouses and families of our LGBT service members cannot be overstated.

Life in the Pentagon changed after the September 20, 2011, effective date of the DADT repeal. An underground LGBT coffee group that had been meeting for many years at various locations around the Pentagon grew. After repeal, more LGBT service members, DoD civilians, and veterans became less fearful of losing their jobs and, as a result, were more focused on performing their important work. Just as in civilian workplaces and institutions, many chose to come out in different ways and many chose not to come out at all. Many made public announcements to their supervisors, many quietly placed a photo of their partner/spouse in their cubicle, and yet others just simply relaxed.

It was an honor for me to speak at the first Pentagon Pride event which was held on June 26, 2012, before an overflowing standing-room-only crowd in the Pentagon Auditorium. Senior military and civilian leaders from across the services attended this groundbreaking event along with service members from around the world who participated via broadcasts over the Pentagon Television Channel and CSPAN. Soldiers in Afghanistan cheered as we recognized them from the Pentagon Auditorium stage. The event was covered by hundreds of national and local media outlets, and I had the good fortune to be interviewed on National Public Radio and other national broadcast media.

Secretary of Defense Chuck Hegel, White House Senior Advisor Valerie Jarrett, and Acting Secretary of the Air Force Eric Fanning spoke at the second Pentagon Pride event that took place on June 25, 2013. For me it was significant that this event was developed and sponsored by a newly formed and recognized DoD Pride group within the Pentagon that now meets regularly to plan events, training sessions and to be available to DoD leadership for advice on implementation of DADT and the extension of benefits to DoD service members and civilians and their families across the world.

Our LGBT service members have come a long way. Leading LGBT service members from deep in fear-ridden closets to openly serving our nation with distinction and guiding these extraordinary national heroes through these treacherous times has been one of the greatest honors of my entire life.



## SCHWARTZ, ELIZABETH

### Too Outspoken: My Timeline As an Always-Out LGBT Lawyer

#### Yesterday

My epiphany to go to law school was sparked by my observation that many people who had affected social change had done so with a law degree. I was a young radical, seeking a path to make some difference in the world. And looking around at some of the change agents I most respected, it seemed many had a JD or Esq. after their names. So in 1994, I applied to my local university after they had already admitted the entire class for that fall. I was wait-listed and got in the day classes started. I was ablaze with hope. In my first year, I had one elective and I chose public interest law.

But of course, reality crept in, as it often insists on doing, and I realized before too long that I had to figure out how to pay my accumulating student loans as well.

So I needed to find a way, as I always say, to “do good and do well.” I tried to work during the summers in big law firms, but I wasn’t fitting in to their corporate culture. I was, according to the head of the summer associate program at one of those firms, “too outspoken.” Prophetic words, as it turns out.

I had been fortunate enough to meet two respected gay male lawyers in town who together had a firm which represented much of the LGBT community, and, in my third year of law school, I explained to them they *absolutely had* to hire me. This seemed like the perfect way to marry my personal passion for justice, help my community, and make a dent in my loans. They said they were a small firm not looking to hire anyone. I explained that they couldn’t afford not to hire me. I also urged them to consider the fact that they claimed they were representing the LGBT community yet didn’t have a woman there: ineffective representation indeed. They fell for it.

I began working for Crockett & Chasen, P.A., after my graduation from the University of Miami School of Law in 1997. Not long after, the battle began to heat up around the amending of Miami-Dade County’s Human Rights ordinance, which sought to provide protections against sexual orientation discrimination in housing, employment, and public accommodations. My bosses understood that our involvement in that effort was critical. They donated countless hours of my pro bono time and our effort was victorious.

We were still in the midst of the AIDS crisis. But protease inhibitors were just making their way into doctor's offices, which meant lives were going to start being extended. My practice focused on what our community needs were: estate planning, probate, and viatication (where the terminally ill could sell their life insurance policies to investors for a smaller cash amount). As our community started living, and as a result of the AIDS crisis that forced us into the sunshine, coming out in droves, increasingly more self-possessed clients started longing to formalize their relations and even raise children. I began doing sperm donor agreements for lesbian couples and helping gay dads navigate the gestational surrogacy process.

Adoption in Florida, however, remained illegal. In 1998, I had the opportunity to assist the ACLU as cooperating counsel in litigation it brought in federal court to challenge the 1977 ban against gays and lesbians adopting children in Florida. (That litigation, known as the *Lofton* case, failed. But the ACLU ultimately triumphed in state court, getting the adoption ban overturned in 2010). My firm also donated many hours of my time toward that effort.

## Today

I have had my own practice since 2001. The majority of my clients are gay. Frequently the representation will involve a family formation issue like an adoption (now that it's legal,) a surrogacy, or an estate planning matter where I am helping a couple provide critical legal protections for themselves and their loved ones. In those cases, having a gay attorney with specific knowledge of the distinct legal hurdles our community faces is critical to these clients. But just as often I could be assisting a client in probating the estate of a parent or with some conflict resolution where the client's sexual orientation or gender identity is irrelevant. Still, there is a comfort level the client enjoys seeing that my intake sheets ask about a partner, not a husband or wife (Florida remains, at least as of this writing, a nonrecognition state) and other ways which don't make any boneheaded assumptions about their families. Simply knowing one will feel *seen* by chosen counsel can be a powerful rainmaker.

I have been fortunate in that my pro bono endeavors battling the gay adoption ban have blossomed into paying work as I now enjoy a busy adoption practice for both gay and straight families. I also have seen the surrogacy practice that began as a way to help gay men have children during the pendency of the adoption ban grow into one where I also help many heterosexual couples who are challenged with infertility issues. Perhaps one of the more interesting developments in my practice has been how many heterosexual unmarried couples and other nontraditional families (who are not gay couples) have retained me to



handle their estate work based on their expectation that I can think creatively about planning for modern families.

## Tomorrow

The career landscape for lawyers entering the workforce is very different from it was when I graduated from UM. The economy has made finding jobs much more competitive, and it is increasingly important to distinguish oneself. And many employers see it as a bonus when one can bring the representation of a certain market niche to the table. When I first went to Lavender Law in 1996 (the annual conference of the National LGBT Bar Association), the entire career fair fit in a small room. At the 2012 Lavender Law in Washington, DC, I was energized to see how career fair has become a massive production with many hundreds of recruiters from all aspects of the workforce—law firms, government, and corporate legal departments.

I led our LGBT group in law school, and I recall there being quite a bit of conversation among our ranks about whether we should list that involvement on our resumes. For me it was always very clear I did not want to work anywhere that would not embrace me fully. But for others, I know it was a tougher inquiry. The fellow who ran that same LGBT law students group in 2012 actually got a job (in part) *because* he was gay, not in spite of that fact. The firm hired him because of their specific desire to reach out to the LGBT community. I feel like that speaks volumes about how far we have come.

Coming out was never something I personally considered a risk. It was only ever an asset, at least as far as I am aware. It certainly is possible that I have lost potential clients because I am gay and out. Frankly, I assume that they did us both a favor by not retaining me.

I think the future is a very bright one for openly LGBT law students, lawyers, academics, and jurists. If we are true to ourselves, that integrity will radiate. I know that for me, being “outspoken,” as I see the word, has been crucial to my success.

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## Challenging the Profession

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*Stereotypically conservative and slow to change, the legal profession progresses most quickly and positively through the acts of those who eschew the status quo. As John F. Kennedy said, “Change is the law of life. And those who look only to the past or present are certain to miss the future.” These are the stories of those who have not been deterred by the present status of the legal profession as it relates to the treatment of LGBT persons and have challenged the profession, its people, and organizations to evolve into a more inclusive with a clear vision of what the profession can be.*



## CHARLES SPIEGEL

The law was my ticket to come out—again. Having been out as president of the gay and lesbian student group in college, I had no idea that the closet door revolved, and spent the 3 years after college slowly going back into the closet. I used my entry to law school to re-come out. In the 30 years since, my legal career enriched and was enriched by being openly gay.

By first semester exams first year, I was dating one of my male classmates, and by April of our 1L year, we attended a seminar sponsored by Lambda Legal on gay people having children, a dream that took us 13 years to achieve. In my 2L year (1985), my article in the law student newspaper comparing HIV and AIDS to the Holocaust caught the attention of my civil procedure professor's office. Her point was that I should be more accurate with my comparisons.

I swore I would not leave law school single, nor return to the closet. At many times in the next 14 years at a single national law firm, being gay became an “issue.” What kind of issue? Most often, an educational one.

For the first 2 years after graduating, I practiced in the New York office of a Chicago law firm (Sonnenschein Nath & Rosenthal); and when my same boyfriend got a Ninth Circuit clerkship, I told the managing partner I was looking at San Francisco law firms, and the reason. I'll never forget that it took him about an hour to think to encourage me to move the SF office of our same law firm. I wonder if the openly gay part of the story in 1989 caused a delay in being encouraged to stay with the firm that a straight lawyer moving for his or her spouse wouldn't have faced.

So I moved to the SF office, at a time when it was impressive that we got moving benefits which treated my spouse like a heterosexual spouse—the firm paid to move his stuff cross-country too. Several years later, the San Francisco managing partner expressed his fear that if he invited me to a business development dinner with an insurance company client, would I insist on bringing my partner?

Even in the mid-1990s, that was not the “right” thing for someone in his position to say. But it was so refreshing that he said it out loud, so that I could tell him: it would take significant bribery for me or my partner at home to get him to come on a work dinner for my law firm. And we could move on.

It was an era when SF was more progressive than Chicago, so as I brought up LGBT issues in hiring or employee benefits, I always felt that in the Chicago main office, I was pictured as a loud mouth drag queen. I later confirmed with a colleague in the Chicago office that my supposition was largely true for some of my colleagues. So it had particular meaning as my firm changed across the

country to one more comfortable and welcoming of out LGBT attorneys, staff, and causes.

Since SF law firms were more progressive than New York or national law firms of the time, as by then one of the SF board members of Lambda Legal, [www.lambdalegal.org](http://www.lambdalegal.org), the largest national LGBT legal rights organization, we devised a strategy in 1990 to first get local SF firms to be \$500 institutional annual sponsors (starting with Morrison & Forester). We then used that list to leverage national firms with SF offices to also sponsor (starting with my firm), and then that still longer list could be taken to NY law firms and firms in other cities to establish a standard of institutional sponsorship.

Though many other forces came together to make this change, we were always proud of the special role the SF law firms made in creating the current environment where many firms are \$20,000 or more institutional sponsors to Lambda Legal and other LGBT causes. And when we started pushing this for Lambda Legal, we recognized that the National Center for Lesbian Rights had a harder case to make with the same firms solely because it has the L-word in its name.

While I practiced real estate law for 14 years with this firm, I also spent those 14 years volunteering in one capacity or another for Lambda Legal, eventually becoming cochair of the national board of directors, and later leaving the same law firm to become Executive Director of Our Family Coalition, [www.ourfamily.org](http://www.ourfamily.org), the bay-area LGBT parenting organization. While I enjoyed my law firm work enough, I often described that because the LGBT rights work could be done while I held this day job, there was no reason to look for another law firm to work in. “Why trade McDonalds for Burger King?” described my satisfaction with the balance between paid work even at a progressing law firm, and my movement work.

In 1997, and after making limited partner at the firm, my partner and I adopted a newborn baby girl. Our daughter became a fixture at the firm just as any other lawyer’s child would—with a baby shower presided over by the same SF managing partner—and as an attendee every year at the law firm’s dress up trick or treat the offices event, and even beyond other babies, as an attendee at partners’ weekends. I felt I had the freedom to be open with my dual role as a parent in ways that women attorneys feared.

That SF managing partner, the late Paul E.B. Glad, began some sort of personal transformation and learning that led him to be a straight advocate for LGBT marriage equality, perhaps starting when he was at the California Supreme Court one day for an insurance case, and got to watch a marriage equality case being argued—an experience he then wrote about in legal publications. Even in the years after I left that law firm, whenever there was a legal advance in marriage equality at the California state court level, even with all the email



lists and notifications I am on as an LGBT rights advocates, Paul Glad's was *always* the first email congratulations I received.

I've always said I've gained far more from volunteering for Lambda Legal in these years than even the large amount of work I put in. I think not just in terms to the satisfaction of helping to win rights for my community, but also things as diverse as opportunities to develop my public speaking in a way young nonlitigating lawyers don't always have, and reaching out to people with the genuine content of my personal life.

In what became my first 20 years of volunteer work for LGBT legal equality, I learned California family law as what my family did not have. This experience is what allowed me to create my own California family law practice for straight and gay couples. I do premarital planning, sometimes leading to prenuptial agreements, for straight and gay couples, adoption and surrogacy by parents of all sexual orientations, and mediation and collaborative practice of divorce again for both gay and straight couples. By having to describe what we didn't have, I was able to learn family law in an entirely different and unique way.

I always say that among my five proudest achievements in my life, in addition to having a romantic and familial relationship that lasted 20 years (in an era when we were only "married" in the eyes of Citibank making a joint mortgage loan to us), and raising a now-16-year-old daughter, was making partner at the Sonnenschein law firm, and volunteering for Lambda Legal over a long period. I now add to that pride list my private practice and the unique way I learned it, a practice I feel sure will retain interest and challenge for a remaining 20 years of a legal career—mine. All "because" I am gay.

## JAMES REED

In law school, I stopped deceiving myself, my family, and friends and came out of the closet. This journey culminated at graduation when my boyfriend, parents, and friends celebrated my achievement together. I left law school unburdened by the weight of being closeted. I was at peace with myself and my place in society as a gay male professional. At that time, the country was in a deep recession. Although I held a degree from one of the nation's top 25 law schools, I received only one job offer before graduation, from an employer in a small Amish community in the rural Midwest. Since most of my fellow graduates were still searching for employment after graduation, I felt lucky to have secured a job even if I had to work in an environment that was not known to be friendly toward gays.

The interview with my new boss was brief. He knew and trusted the judge for whom I had clerked while in law school. So, the judge's high recommendation virtually cinched the offer. During that first meeting, I thought that my new boss was quirky and a bit odd, but he seemed to be an intellectual and a legal scholar. I figured that he would be like the judge, although outspokenly conservative, he would engage in academic discussions and respect my liberal opinions. From the day that I arrived at my new job, however, I realized that my first impression was dead wrong. This man was a very powerful right-wing politician and active in local, traditional religious organizations. I could have handled the political and economic conservatism, but his views on social issues, especially LGBT issues like gay marriage and adoption, were nothing short of offensive.

Day after day, I listened to my boss's ultraconservative and intolerant opinions. My desk was just outside the door to his office where he spent many hours each week, holding court for local judges, attorneys, and politicians. Their discussions were colorful and lively and, because my boss refused to close his door, I heard every bigoted, offensive word. Each conversation that I overheard pushed me further and further back into the closet. I was certain that my boss would have fired me if he had discovered that I was gay. I needed this first job not only to pay the bills, but also to launch my legal career. I believed that he was so politically connected that he could make or break my future.

By the end of the first month of my job, I had retreated so far back into the closet that I began to lie again, just like I had in high school. I conveniently changed the pronouns to describe my weekend dates with men in nearby towns. Because the office where I worked was so insular, my deception became increasingly difficult to perpetrate. The two other employees in my immediate office invited me to dinners and parties at their homes. I quickly learned that



if I didn't bring a date, they usually had an eligible young lady waiting to meet me upon my arrival. Little did they know, but I was much more interested in the only openly gay person in town, the local hairdresser.

At least twice each week, my boss invited me to join him for lunch in his office during which he listened to Rush Limbaugh's radio program and often complained that Rush's views were "too mainstream" or "softening." Most days, just before noon, I would disappear into the bowels of our building and sprint out a side exit to avoid these invitations. On days when he caught me, I was afraid that I would offend him if I turned down his offer, so we would sit at his conference table, eating Pizza Hut pizzas listening to what I considered to be offensive talk radio.

The lunches, however, were nothing compared to my boss's rants against gay people when he participated in child molestation trials. He handled most of these cases in the county. One of my many duties was to remain close to my boss to research legal issues as they arose during trials and hearings. After working with me for a couple of months, my boss felt comfortable enough to start making highly offensive comments during child molestation trials when he and I were alone in the courthouse halls during trial recesses. He would identify the accused predators as "faggots" and "fucking gay perverts." Even though he had listened to and questioned multiple trial experts who testified that homosexuality and pedophilia are not synonymous, he seemed to use each trial as an opportunity to remind me of how much he hated "fags."

At the end of my tenure with my first boss, when he offered me a second year, I was very thankful and relieved that I had already received and accepted an offer from a much larger urban employer. For 12 very long months, I had placed my career ahead of my personal well-being, happiness, and serenity. As a new attorney, I had feared the future, so I subjugated myself to an offensive small-minded employer. I retreated back into the closet and spent the entire first year of my legal career hiding who I was in the name of becoming a successful attorney. Although my first job taught me a great deal about litigation, presenting evidence in court, and developing negotiation skills, in addition to presenting me with the opportunity to meet the attorney who recommended me for my next job, the emotional strains of the closet outweighed all of these career benefits.

Within a few weeks of starting my new job in a large, diverse office, I met my husband (he was a colleague). Since we were peers and handled our own cases, our superiors allowed us to date and grow our relationship while working in the same office. From that point forward, I vowed to never again work in a homophobic environment. At times, I have earned less money in exchange for working in an accepting and supportive office. I learned that disclosing my sexual orientation to employers and discussing it with them before accepting

an offer has led to tenures in some of the most comfortable and progressive employment settings possible. A few years ago, when I received an offer from a renowned medical center, to serve as in-house counsel, I knew that I had progressed considerably in my career when I asked my soon-to-be boss whether I would feel comfortable in his office as a gay person and he responded, "I am so sad that you feel that you have to ask me that question."



## RAQUEL MATAS

I came out during my second year of law school, in the early 1980s, at a time when there were not very many women, Hispanics, or LGBT people in law school, much less the profession. This was also true for most other societal structures. I went to a very progressive law school, one which understood that its mission was not only to provide students with a solid grounding in all the core areas of law, but also to critically examine the reasons for the prevalence of disenfranchised groups and the role law could play in the struggle to achieve a more just and inclusive society. Thus, I developed a consciousness, early in my law career, of the responsibility I had as a lawyer to be a participant and not merely an observer or beneficiary of any effort to help society be more just for all people. I made it my goal to always find opportunities, no matter where I was in my career path, to give expression to that consciousness.

Today, 30 something years later, the legal profession is much more diverse and inclusive, and the same is true for many segments of society. The laws reflect these changes as well. For LGBT people in particular, there has been a lot of progress in the march toward equality. I believe that this march has been led, in great measure, by many LGBT lawyers willing to walk along hard and risky paths, uncharted territories, and sometimes treacherous cliffs. In the process, LGBT lawyers have helped build a road that, while far from finished, is a lot safer and steady, the crossings less harrowing, an easier path on which to continue to march together.

I wish to tell the story of the building of one such stretch of equality road in Florida. I was one of many people who participated in this effort, and grateful, as always, for the opportunity to use my legal education to add a pebble to the road.

In June of 1992 I began my first term on the Florida Bar Board of Governors, a body of 52 members, the majority of whom are lawyers elected from statewide circuits. The Florida Bar Association is among the largest bar associations in the country, and it's a mandatory bar, meaning that all lawyers must belong to it as a condition to practice in the state. The Board of Governors is the governing entity of the Florida Bar Association, and sets policy for lawyers in the state. I was the first and only Hispanic woman among the four women that term, one of two Hispanics, and the only LGBT person as far as I knew.

One of the initial acts of this newly elected Board of Governors was to consider an amendment to the rules of professional conduct, on what constituted lawyer misconduct. The amendment was intended to deal with discriminatory or disparaging conduct by lawyers, and the proposed language read as follows: *[A lawyer shall not . . .] (d) engage in conduct in connection with the practice*

*of law that is prejudicial to the administration of justice, including to knowingly, or through callous indifference, disparage, humiliate, or discriminate against litigants, jurors, witnesses, court personnel, or other lawyers on any basis, including, but not limited to, on account of race, ethnicity, gender, religion, national origin, disability, marital status, age, socioeconomic status, employment, or physical characteristic;*” like other rules of professional conduct, violators would be subject to discipline. And like all efforts to eliminate discrimination, the ultimate goal was not to prosecute violators but to change the culture that made such discriminatory conduct ok. The proposed amendment, however, though broadly inclusive of groups and categories of people that could be the target of discrimination or disparaging conduct, omitted “sexual orientation” as one of them.

That the amendment was under consideration at all was itself a huge victory achieved largely through the efforts of a very active group of women lawyers who in 1987 had succeeded in convincing the Florida Supreme Court to establish a commission to study gender bias in the courts and suggest ways of eliminating it. That sexual orientation had been omitted from the amendment was mostly a pragmatic decision on the part of the drafters, who feared that adding it would defeat the entire effort.

What happened in the few weeks between the Board’s swearing in and its first meeting in July, when the amendment was taken up for a vote, was a model of successful collaborative political action. In 1989, a group of LGBT lawyers had formed the Gay & Lesbian Lawyers Association (GALLA), and these lawyers, along with committed straight allies, organized to lobby the governors and its leadership with the goal of adding two words, “sexual orientation,” to the language of the amendment.

The action plan involved multiple strategies. While a broader coalition of progressive lawyers and affinity bar associations lobbied in favor of the amendment as had been originally drafted, the GALLA lawyers focused on drafting a brief in support of adding “sexual orientation” to the amendment; meeting with specific members of the Board to gain their support, and obtaining commitments from them to speak on the floor in favor of adding “sexual orientation” to the amendment; petitioning the Florida Bar President, who presides over Board of Governors meetings, to allow individuals to testify in favor of the added amendment language; assembling a compelling list of witnesses who would testify; and inviting the press to be present at the meeting. Our window was short, which meant we had to work fast, smart, and undistracted.

On the day of the meeting, after a long and considered debate, on a roll call, the amendment, with the added “sexual orientation” words, was approved by the Board of Governors. We were elated. An attempt to reconsider the vote at the following meeting of the Board of Governors held in the northern part of



the state and farther away from the more progressive venue where the first vote took place, failed by one vote.

The amendment has now been part of the Rules of Professional Conduct since 1992, and has served as the basis of and support for many subsequent progressive efforts in the state and elsewhere. It has become a stretch of road that is firm and steady. Not an expressway or a long highway, but a trusted path on which to confidently march toward greater equality.

## GARRY BEVEL

I was “outed” in college. Though terrifying, because I was away from home, and starting to understand what it might mean to live life on my own terms, the “outing” was not devastating. Especially so considering my best friend was roundly accepting. More acceptance came, and coming out, in most cases, was like my birthday coming on repeat: I kept getting what I had hoped for for so long: affirmation, celebration, reassurances that I was ok . . . as is.

When it came time to apply to law school, I knew there were schools where an apparently accomplished gay, black male would be welcome, and seen as an asset. I also knew I was fortunate to be able to choose among schools like UCLA, Emory, and UNC-Chapel Hill—all located in much more accepting places than I had ever lived.

Whether to be out in law school was a different matter. I was cautioned about coming out in law school or while a lawyer: “it’s a very conservative profession.” “It will make working at a firm more difficult.” I literally sat myself down and said: “you have to decide right now. Are you going to make this an issue or a nonissue?”

I came out in my personal essay.

It was a nonissue. I knew ahead of time that UNC had a gay law students association (Lambda Law), and I *felt* like I was in a safe place when I visited. It was similar to how I felt when I walked FSU’s campus and saw upside-down pink triangles on the doors of faculty and staff. In both cases there were unspoken, nuanced communications that I was in environments where someone was aware of me and aware that my experience may have been a little different. Better—that many students from many walks of life were looking for a place to be themselves and feel safe doing so. And even better than that is the communications at both schools are much louder and prouder now.

I came out again in my speech to the class announcing my candidacy for 1L class president. I won. Happy birthday again.

I expected that there would be naysayers and people who intended to use my identity to harm or insult me. However, it was also clear to me that if I was careful and thoughtful in my choices (about where to work, where to live, etc.), I could be myself, I would have support, and I could thrive in professional environments.

Thrive I have. After law school, I joined the Miami-Dade State Attorney’s Office as a prosecutor. I cannot recall a single instance when my or someone else’s sexual orientation or gender identity (SOGI) was an issue. I went on to join the Eleventh Circuit Florida Guardian ad Litem program as a Litigation



Attorney. Early on in my time there, we received training on LGBT education issues from Safe Schools South Florida. Curious if there was more we could do to integrate SOGI equity into our work, I asked my Circuit Director if I could seek out more training. A previous administrator at a local foster care agency had recently become Executive Director of YES Institute, a local nonprofit committed to preventing suicide among youth related to SOGI. We reached out to her and several of us staff attended training at YES. I later became a YES facilitator and eventually a board member. Our office, with my leadership, started a Safe Zone for LGBTQ Youth in Foster Care.

Those experiences positioned me well to accept a position at the ABA on the Opening Doors for LGBTQ Youth in Foster Care project and now the ABA Commission on Youth at Risk. We've trained over 1,000 judges, lawyers, social workers, mental health providers, and child welfare professionals on the needs of LGBTQ youth in care. We've published articles and provided resources to empower young people and their caregivers to achieve the best possible outcomes.

These experiences have certainly colored my professional ones. I am immersed in a community of equality-minded, progressive, challenging thinkers and influencers. I am aware of so many of the groups who are working in juvenile justice, foster care, mental health, polyvictimization, relationship, and education issues designed to overcome the challenges and barriers many LGBT children, young people, and adults still experience. Fortunately, more and more people are becoming aware of the need and availability of positive interventions for LGBT people.

I have been recognized as one of the top lawyers under 40 by the National LGBT Bar Association. I was selected to participate in the Pipeline Project's leadership institute, designed to build the leadership capacities and reach of LGBT leaders of color. I have been chosen as a Deputy Director Officer at the ABA and to serve on the advisory council of the Human Rights Campaign's All Children—All Families project.

None of this was possible alone. I am fortunate that when I first told my mom I felt different that she told me she loved me, that I would be ok, and that I was special. I am certain that because she repeated those words, "you are special"; I only contemplated suicide. Her assurances and having some sense that I could be successful provided hope and resilience (an important concept working with children and families has taught me).

I am fortunate that she placed me in middle and high school magnets with rigorous education programs. I am convinced that rigor filtered out much of the identity and popularity politics that can torment marginalized groups.

My parents and family had modest means and were educated. They valued education, and so they encouraged it. I waited after school for parents,

grandparents, aunts, uncles, and cousins to come home—proud—from work. Value was placed on being a kind, considerate, hardworking, smart, and thoughtful person.

I am privileged that my own early development was not marred by the types of traumas and abuse that often inhibit a person's long-term ability to learn, make responsible decisions, cope with stress and emotional upset, and gain meaningful access to educational and professional opportunities.

Growing into an adult and approaching professional life after making the decision to be myself allowed me to focus much of my energy and effort on how to help others do the same. It has been a most remarkable journey and more than I could have ever imagined, allowing me to educate and raise awareness in a way that supports others.

Five years ago, I made a phone call from Florida that linked a grandmother in Arizona to a nearby agency that picked up her grandson from school as she feared was suffering and might harm himself because he was gay. Later, she wrote to me saying, "I am certain you saved my grandson's life." I got to help a kid live a better life. It has been one of the single greatest moments of my own life.

Happy birthday to him, to me, to you, and to everyone doing all they can to be themselves, be ok, live, and give better lives.



## TOM FITZPATRICK

I was elected as the first openly gay member of the ABA Board of Governors in 1998. At that point, I had been involved with the ABA and bar activities for over 20 years. However, the realization that I was gay and the coming out experience had only occurred a couple of years prior to being elected to the Board representing Washington, Oregon, Alaska, and Montana.

The first year was particularly awkward. The Board had never had an openly gay member. Some members did not know how to react to a gay member who brought to meetings at different points a lover, an ex-wife, and children. Although the ABA House had previously adopted some policies against discrimination on the basis of sexual orientation in the justice system, nothing was in place in regard to GLBT persons in the legal profession. The initial reaction to raising gay issues was “You mean you want us to do something about this?”

Apparently concerned that it might get tasked dealing with gay issues, the Commission on Minorities in the Profession changed its name to “Racial and Ethnic Minorities.” It would take another decade until the ABA, under the leadership of my friend Bill Neukom from Seattle, created the SOGI Commission.

Although sometimes I had feelings of rejection and not fitting in, I was determined not to become discouraged and to be an effective member of the Board. Unlike many of my colleagues, I had served on the ABA staff and previously held various ABA positions, so my knowledge of the Association was extensive and exceeded that of those who had come to the Board by working their way up through state and local bar associations. I added to my expertise by faithfully fulfilling my liaison assignments to entities such as the Tax Section, and the Lawyer Referral and Strategic Communications Committees. Because of that background, I could discuss a variety of issues with historical background and authority. I think this led to the growing perception that “He might be gay, but he knows what he’s talking about on this issue.”

I also knew even then that if the members of the Board actually got to know me, it would serve as a basis to perhaps alter their perceptions of gay people. Thus, I faithfully went to Board social functions and class dinners, getting to know my colleagues and their spouses. The highlight was hosting a class “retreat” for Board members in my class and their spouses on Whidbey Island, north of Seattle, before the actual Board meeting in Seattle. I had the hospitality suite in my room, and everyone was there at some point in time. We had all become good friends, even if we differed on various issues that came before the Board.

The presence of a gay member of the Board become all important when there was a request to approve the filing of an amicus brief in *Dale v. The*

*Boy Scouts of America*. Feelings were running high, and many members of the Board did not want to touch the case, even though the House had policy against discrimination which supported filing the brief. After probably the most intense debate on any issue during my time on the Board, it voted to have the ABA file the amicus brief.

While the ABA's position was not ultimately adopted by the Court, the decision to file the brief marked a sea change in the ABA's position in regard to gay rights. No longer were policy positions on gay issues just something to be included in the policy book. Thereafter, the House became even more receptive to passing other policy positions affecting GLBT people in society and in the legal profession. The Washington Office increased its lobbying efforts for legislation supported by ABA policy on GLBT issues. The need to address the discrimination in the profession against GLBT lawyers became something which got talked about along with the realization that this was part of needed diversity efforts. With that became the realization that GLBT discrimination was something the profession as a whole needed to address, not just GLBT bar associations or the Individual Rights and Responsibilities Section.

Even though a lot of progress has been made, the movement for equality for GLBT persons and lawyers has still not been fulfilled. However, when the history of the gay rights movement is written, I believe the cultural change in the legal profession on these issues will be cited as a major factor that allowed the movement to succeed. I take pride in having contributed to that cultural change through my service on the Board and in other capacities in the organized bar. It would not have been possible without the support and efforts of so many others. But it would also not have been possible without the nature of lawyers. Lawyers generally are open to learning new things and have to deal constantly with issues of fairness. Those cultural attributes made the cultural change in the legal profession possible.



## ALYSON MEISELMAN

I've been a member of the ABA since 1981. At that time I was a solo practitioner, opening my practice right out of law school in a small city in western Maryland.

When I transitioned in the late 1990s, the local and state bars were unaccepting of my transition.<sup>1</sup> I was the first individual with a transsexual history to be out within the Maryland bar. I was also, to my knowledge, the first individual in Maryland to obtain a court order recognizing my gender as female "for all legal purposes." Toward the end of 1999, I began representing a client born in Pennsylvania, whose parents had moved him to Maryland as a very young child, who wanted legal recognition of her transition to female. The petition was denied at the trial court level (gender is designated at birth), and again by Maryland's Court of Special Appeals (Maryland courts had no jurisdiction to rule). Upon certiorari, when the case was decided by Maryland's highest court, I had won the first victory for a transsexual in the highest court of any state, nationwide. I had worked on many cases attempting to advance trans-rights, nationally and internationally.

At that time, the gay and lesbian bar in Maryland was not inclusive. In the process of looking for an organization in which I could participate, I first looked to the National Lesbian and Gay Bar Association, though I was neither, upon which I became a member and was elected to their Board. In that position, when the opportunity to again become active in the ABA was suggested by Deborah Rhode, the Chair of the ABA Commission on Women in the Profession (CWP), as NLGLA's liaison to that commission, I jumped at it.

From the ABA midyear meeting in February 2002, I focused my energy on the CWP by participating in the committee that was working on the Women of Color Research Initiative. My thinking was that the issues faced by women of color were parallel to those issues I faced as a trans-woman. I learned a lot, and hopefully contributed some. As I expanded my interest in other areas and issues important to women in the legal profession, I became even more active in advocacy on behalf of trans-individuals.

I left NLGLA in 2005 over the ethical issue of whether or not the organization has the right to "out" an individual in the legal profession. (I did not feel that such a right existed.) However, my interest in women's issues and transwomen's

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<sup>1</sup> While the details are not appropriate for this essay's purpose, I will simply say that I was treated with disrespect, hostility, threats, and shunned by the membership of those bars and the bench, and I must include many members of the local women's bar. It was not an experience I would ever suggest anyone go through. It was traumatic.

rights continued. In August 2006, I became a member of the ABA Commission on Women in the Profession through a presidential appointment by Karen Mathis. Again, the learning curve for me was intense, and in my 3 years on that commission, I was appointed chair of the publication committee, worked on the Breast Cancer Task Force (which eventually became part of the ABA's Health Law Section), worked on the Goal III (then Goal 9) reports, and many other projects. The experience also gave me some significant insight into the "politics" of the ABA.

In 2006, at the annual meeting in Hawaii, I was a substitute delegate from the Baltimore City Bar Association to the ABA House of Delegates (HoD). That was the year that the HoD voted on and passed the Report and Recommendation, which provided inclusion of gender identity in the nondiscrimination policy of the ABA. The following year, in 2007, the president of the ABA established the Commission on Sexual Orientation and Gender Identity (SOGI). I became the liaison between the CWP and SOGI.

As I had a great interest in SOGI, in 2010, I was again appointed through an ABA presidential appointment to SOGI. Early in my position as a member I encouraged a standing committee structure; nearly single handedly created the ABA Stonewall Award; suggested programs and projects, including this book, to get SOGI out before the membership; and chaired the SOGI resources committee.

At the same time, I had been the ABA Family Law Section's liaison to SOGI while vice-chair and chair of the Family Law Section's Alternative Families Committee, among other activities.

All of the above is pretext to the following.

The next Chair of SOGI, in my humble opinion, should be a transperson.

If the ABA's policy of inclusion means anything, it should mean that when it comes to appointments regarding SOGI, transpersons be appointed as members *and* as chairs. I note here that during the bar year 2012 to 2013, no appointment of a transperson, other than the reappointment of myself, was made to SOGI. I have now cycled off SOGI, and I am glad that there is another transperson appointed to the SOGI commission. As reflected in the Goal III reports over the past 5 years, the ABA can and should do better!

My hope is that I have left a legacy and high bar to be surpassed by those that follow. There is so much yet to be done!

I always ask lawyers I meet if they are members of the ABA. Too often, the answer is "No." My response usually is that it will expand your practice, you will meet the most interesting and diverse colleagues, and you will enjoy the experience . . . try it! Sometimes the response is that the ABA does not reflect their "values." To this I reply that if you want to change an institution or organization, you must join it and work within to effect the change you want.

To all those reading this book that are not members, again, join us and try it!



## CARMELYN MALALIS

In the fall of 2001, I was clerking for a federal magistrate judge in the Southern District of New York. Having graduated from law school just a few months prior, my legal career was almost entirely in front of me. Not having come from a family with many lawyers (in fact, I think the only lawyer in my family was my grandfather's brother-in-law, who was a practicing attorney in the Philippines in the 1940s), and not having known many lawyers throughout my life, I was eager to identify and find role models. I wanted to find lawyers who worked in areas of law that interested me, I wanted to identify folks whose career paths I could use as a model, I wanted to meet lawyers whose work inspired me, and also—at a very basic level—I just hoped to meet people in the legal profession who were representative of me as an out lesbian of color.

As luck would have it, a woman with an extremely successful legal career, who also just happened to be another out lesbian of color, was working just a few floors away from me in the same building. I contacted her, told her I was a recent law school graduate clerking for a judge in the courthouse, introduced myself, and asked to meet with her briefly. To my great surprise, she invited me to sit down and chat about my interests and postclerkship plans. Our sit-down was brief, we didn't keep in touch, and I have never spoken with her again, but looking back, it was extremely generous of her to meet with me and it was an incredibly comforting experience for me to know that an out lesbian of color could have such a successful legal career—I mean, she was a federal district judge.

Fast forward over a decade, I am a law firm partner who is fortunate to enjoy a fulfilling and burgeoning legal career, working in my area of choice and with people I greatly admire. I attribute my professional happiness and success in no small part to the advice of role models I have been fortunate to meet through the years, not only those that developed into long-lasting mentorships and friendships, but even those that consisted of only a fleeting tête-à-tête like with the judge. All of these role models and mentors, particularly those I met in the beginning of my career, have helped me build several important professional platforms.

In recognition of the valuable experiences others have shared with me, it has been important for me to pay it forward with new lawyers just starting out with careers of their own. At one point in my career—definitely before my children were born—I used to say that I would not turn down a law student or new lawyer asking to meet over coffee. Now, if I can't squeeze in time to at least chat with someone over the phone, I try to at least set them up with another lawyer

suitable to their interests who can talk to them (in this pay-it-forward scheme, that lawyer is usually someone who was on the other end of the phone earlier in his/her career).

It has been particularly important for me to be a resource for law students or new attorneys who are lesbians of color, women, lawyers of color, or lesbian, gay, bisexual, or transgender (LGBT), since those groups are still underrepresented in the legal profession. I am often asked to participate as a speaker, panelist, lecturer, or moderator at various types of programs, and frequently accept these invitations despite my busy work schedule and my desire to spend quality time with friends and family. In fact, it's not uncommon for me to be working late to finish materials for a program or be on an early morning flight to a panel, and asking myself "Why did I agree to do this?" However, the situations in which I have been somehow marginalized or made to feel like I didn't belong in this profession because I'm a woman (e.g., having been infantilized as "one of the girls"), or because I'm a person of color (e.g., entering a courtroom and having a judge say "Ok, we can start now. The interpreter is here."), or because I'm a lesbian (e.g., having my partner initially excluded from professional events open to "lawyers and their spouses" premarriage equality anywhere) are not difficult to remember, and ultimately bring me back to variations of the same answer: I am there for the woman, person of color, LGBT lawyer, or person who is some combination of those identities and looks around the room wondering if this is a profession in which she belongs. In me being there, I want her to see that she's not alone, she does belong in this profession, and she can succeed. She can be a legal aid litigator, the nonprofit lawyer, government staff attorney, the law firm partner, or whatever she wants to set her sights on in this field we call law. She can even be a judge. And if she does, she had better say yes to the law clerk who asks for that meeting.



## LYDIA LAVELLE

*[T]imes can blind us to certain truths and later generations can see that laws once thought necessary and proper in fact serve only to oppress. As the Constitution endures, persons in every generation can invoke its principles in their own search for greater freedom.*

*Justice Anthony Kennedy*

My students in the Civil Procedure course I teach as an assistant professor at North Carolina Central University (NCCU) School of Law know that I like to start our classes with a quote. Likewise, every year I change the quote on my email signature to another that I find inspiring. Kennedy's quote above is one such quote, and it serves as a reminder of why I do what I do each day.

I have had a wonderful and challenging journey thus far in my life. From an early age, I was impatient with childhood and had a full agenda for myself. In fact, at age 3, I rode my tricycle "to work" each day! As a youth and young adult, I was always busy and involved in new activities. After graduating from college, furthering my studies in graduate school, and working several years in another field, I ended up where somehow I always knew I would be—in law school. I was fortunate to grow up with a dad who was an attorney, and also active in politics. Although my two older brothers followed in my dad's footsteps immediately after college and became attorneys, my parents never put any pressure on me to enter the legal profession. It was a decision I came to by myself. I knew a law degree could help me with just about anything I chose to do, but as it turned out, my law degree has helped me work on issues directly relevant to my life.

I graduated from NCCU School of Law, one of a handful of historically black law schools in the nation, and after a clerkship, practiced a short time before returning to my alma mater. It was during these years at NCCU that I really began to appreciate the history of our law school, and the impact our graduates have had on the profession. Many of our alumni attended our law school during a time that they were not permitted to attend other law schools, simply because of the color of their skin. The obstacles these persons overcame to graduate, pass the bar, and become esteemed members of their various legal communities are legendary. As a white person, my perspective is that of a minority in my workplace. This benefits me greatly as it allows me to grow in my understanding of how much diversity contributes to our communities.

As I considered the legacy of our law school, and our commitment to justice and equality under the law, I submitted a proposal to our faculty to allow

me to teach a course on “Sexual Identity and the Law.” I felt such a course was a natural fit for our school. The time was also right for me in particular to teach such a course, as I was a member of another “minority.” Over the last decade, I began to live my life more fully and openly and became a visible member of the gay community. I was elected to the Carrboro Board of Aldermen in 2007, and I am one of only a handful of openly gay elected officials in North Carolina. As such, I am often called upon to speak about legal issues facing the gay community.

Because of these attributes, I have been able to teach this course with a special insight into the legal challenges and issues facing LGBT persons. I was teaching it for the seventh year in 2013, and have coauthored the casebook that we use in the class. Each year, the class is composed of a variety of students—a mix of straight and gay, black and white, male and female, young and old. The students also have varied religious backgrounds. Our class discussions are insightful, probing, thoughtful, reflective, and inquiring. It seems that each year there is new, major “breaking news” in this field that we discuss, and yearly (if not monthly) updates to the casebook are essential.

I know that the class has a lasting effect on students who take the course. Here is a recent example: last year, North Carolina passed an amendment to the North Carolina Constitution that reads “Marriage between one man and one woman is the only domestic legal union that shall be valid or recognized in this State.” The next day at school, I received an email from a former student: “I hope all is well on your end. I wanted to take a minute to say hi and thank you again for such a wonderful course back in 2010. . . . I really learned a lot from your class. . . . I was able to educate family and friends on Amendment One and I can honestly say that I impacted many people and as a result they voted against. However, my efforts alone were not enough. Anyway I just wanted to thank you for your time and service . . . as a result of taking your course I have come away with so much more!”

More recently, I received this email from a former student: “Thinking of you—and how much I’ve learned—while watching all this exciting election news come in. Congratulations to the residents of Maryland and Maine!” These emails each put a smile on my face. This is why I do what I do.

Unlike previous generations, young people today have grown up living in a world where gay people are often comfortable being out. The stigma against gay people prevalent only a decade ago has lessened dramatically. Many television shows, play, and movies today have gay themes, characters, and actors. Thus, when students enroll in my course and they study and learn about the many areas where gay citizens are not treated the same as straight citizens, they are often dumbfounded. It is an enduring revelation for many of them.



Some will say that these are the best of times for the gay community, and most days, I would agree. But much work remains to be done to fight the continued discrimination and unfairness that the gay community faces every day, and my daily work affords me the ability to work on this with a special expertise.

I was asked a few years ago for “life lessons” to share with our students, and here is a bit of what I said: “Ours is a life-long journey. If you believe that something needs to be changed, figure how to constructively go about working toward that change. Find like-minded allies and devise strategies to work toward your goal. And be patient with yourself and the world. You have to have a vision and keep moving toward it, even when the progress is hard to see.”

I think Justice Kennedy would agree.

# 4

## “T” is for Transgender

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*The LGBT civil rights movement is a coalition that struggles speaking with one voice. These authors shine light on issues unique to our transgender colleagues, but which nevertheless affect us all. Transitioning at any time, for anyone, is challenging. This challenge is unique for these authors because attorneys are often very visible in society and therefore their transition is often public. These authors write about their experience transitioning in the legal environment. As we, the LGBT community, stand united for the basic human right to simply be who we are, these attorneys became who they are prior to and in law school, between jobs, after many years of private practice, and everywhere in between. Their journey is nothing if not courageous. While their experiences are widely different, their lesson to us and their example of bravery is similar. We applaud these “T is for Transgender” attorneys for being true to themselves and sharing their difficult journey with us.*



## KATRINA C. ROSE

It is December 1999, in Albert Lea, Minnesota. A few days before Christmas, snow arrives, rather late I'm told for these parts.

Clerking for a district court judge, I'm preparing to experience my first winter farther north than the campus of Texas A&M University.

But, I'm employed.

A year earlier in Texas, sitting on my brand-new law degree and license, I didn't think I'd ever be able to say that.

A decade and a half *later*, I wonder if I will ever be able to say it again.

In 1999, at the courthouse in rural Freeborn County more out transsexual women attorneys were employed than by all of the national LGB(T) rights groups *and* all of legal academia combined. And while I realize that is not the extent of the legal profession, it is nevertheless what I long ago set my sights on.

Or is that something that a transsexual woman simply shouldn't do?

A dear friend suggested that I focus my contribution to this anthology on my 2 years on the NLGLA Board of Directors. My only truly negative remembrance of that period was my impression that the Board was, in general, far too GLB-centric (and HRC-centric). That, however, never actually affected me personally. I left in 2001 because I had become unable to meet my obligation to attend a minimum number of board meetings.

My break with the LGB(T) politico–legal establishment came a few years later after, at the age of 40, making the shortlist for an attorney position with a prominent national organization, only to be passed over in favor of a much younger transman. Five years later, after making headway on a PhD in history, I made an effort to secure a position not in the activism world but in legal academia. I submitted myself and my credentials—10 law review articles published, 5 years of teaching undergraduates at a large Midwestern university, the clerkship and time in solo practice—for consideration in the AALS process. Despite my résumé, my post-transition life experience forced me to be surprised that I landed even a single interview. However, it led not to a teaching position, but instead to me being referred to with a male pronoun by one of the interviewers (a woman whose sexual orientation I do not know but who nevertheless set off my gaydar<sup>1</sup>).

Between the AALS registration fee, plane fare, hotel room, and cab and DC metro fares, almost \$1,000 from a TA's salary paid for the privilege of my being the joke of the day (year?) for one (perhaps more) of the three law

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<sup>1</sup> Scientific? No. But, if you're LGB and have ever used the term yourself, I suggest not looking negatively upon my usage.

professors who conducted the interview. The only reason I'm not naming the school is that I *didn't* do something that I have always advised transpeople to do on every job interview: go in wired to record the proceedings. Consequently, I have absolutely no proof that it happened.

But the experience of sitting there, receiving loud and clear the signal that I had never actually been under consideration for the teaching position burned right through my psyche and into my DNA. The pain and anger of such experiences will *never* go away.

Yet, the LGB(T) politico–legal establishment is just as willing to accept it within its own ranks today as it was when first I encountered the ubiquitous LGB(T) entities at the final ICTLEP<sup>2</sup> in 1997. I've yet to hear a rational explanation as to why, if they were as serious then as they claimed to be about transinclusion, organizations such as HRC and NGLTF had no transwomen employees (or men for that matter) there to greet such newcomers. The perpetual shiny object of Shannon Minter's long tenure at NCLR—and in gay marriage litigation—does not answer such questions; it only obscures the ugliness of an ongoing reality.

For years I've asked why any legislator would ask his or her own constituents to live under a law prohibiting discrimination against transpeople when the very groups whose employees have allegedly lobbied for and/or educated about such inclusion themselves have demonstrated little or no real desire, and only a token willingness, to hire transpeople, particularly the transwomen who are always the rhetorical victims of such legislative battles. For even asking this I am routinely eviscerated, decried as a whiner or being too drenched in self-interest to be taken seriously.

Of course, in 2011, when finally a legislator in a jurisdiction where trans rights were on the table publicly voiced my observation, even the proprietor of a prominent gay blog with whom I have had numerous significant disagreements had to concede my point. "When trans folk are regularly excluded from jobs inside of our community," wrote Bil Browning, "the emperor has no clothes."<sup>3</sup>

The name of that naked emperor is institutionalized (dare I say ritualistic?) prejudice against transwomen attorneys.

After 15 years in the legal profession I have clothes, but what else? Not much more than an e-mail from a law professor doing pro bono work for a transperson, complimenting me on a law review article: "I know I often wonder whether the things I write are of any use to anyone, but I can assure you your work was a big help!"

<sup>2</sup> International Conference on Transgender Law and Employment Policy.

<sup>3</sup> Bil Browning, *Naked Emperor Alert: Trans Employment Rights*, The Bilerico Project, April 18, 2011, [http://www.bilerico.com/2011/04/naked\\_emperor\\_alert\\_trans\\_employment\\_rights.php](http://www.bilerico.com/2011/04/naked_emperor_alert_trans_employment_rights.php) (last visited Nov. 26, 2012).



There are *many* transwomen who, over the last 15 years, would have been a big help to national LGB(T) organizations and who would have made big contributions to legal academia, but these women were never allowed to get even as far as I did in either.

I am still breathing, however, and still plodding along toward that PhD, but, as I approach 50, I look around and see that, on any given day, the combined number of out transwomen attorneys in tenure-track positions at law schools and in relevant policy or practice positions with prominent national LGB(T) organizations hovers either near, at, or even below the number of out transwomen who were employed at the Freeborn County Courthouse in 1999.

I do not trust that the process that feeds legal academia is even remotely inclined to treat transwomen nondiscriminatorily, much less as the equals of non-trans heterosexuals, non-trans LGBs, or even transmen. And I trust the incestuous cluster of national LGB(T) rights organizations that has acted as a conduit to academia for more than a few LGB attorneys even less.

Occasionally I am reminded that in 1998 to 1999 NLGLA's female cochair was Melinda Whiteway, a transwoman. Such reminders serve as an implicit demand for me to go along with an official narrative: Everything is better now, so quit talking about discrimination against transpeople by LGBs (and *most certainly* quit talking about the gross disparity between transmen and -women among those who are allowed into the LGB(T) employment club<sup>4</sup>).

My response?

America elected an African-American man to be president. Clearly then, racism in America ended on November 4, 2008, right?

If you believe one, then you probably believe the other.

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<sup>4</sup> It has not helped matters that one national transleader—someone gainfully employed as such—has acted as an apologist for the system that created and sustains this chasm, asserting that “it is mostly not overt or conscious.” Mara Keisling, posting to TGV\_Advocacy, June 24, 2007, [http://groups.yahoo.com/group/TGV\\_Advocacy/message/15157](http://groups.yahoo.com/group/TGV_Advocacy/message/15157) (last visited Nov. 28, 2012).

## JILLIAN WEISS

In September 1997, I was at a small litigation boutique in New York City, but my mind was hardly on my work. A married man of 36, with a 6-year-old child, the gender dysphoria that I had long tried to ignore was coming home to roost with a vengeance. I had never felt at home in my gender, and, frankly, I had never felt at home practicing law either, although I found it intellectually fascinating. After coming out of college, a small religious institution, my idea was to find work as a yeshiva teacher. My parents, however, insisted I go to law school. I demurred ineffectually, and enrolled in New Jersey's Seton Hall Law School. For the first time in my life, I was fascinated by every subject, motivated to study around the clock, graduating in the top 10 percent, and landing a good job. But surrounded by the constant, low-grade fever of litigation deadlines and mountains of paper, I fared poorly, limping from one job to another. By 1997, I was in a temp-to-perm position, where they liked my work well enough. My employer was a very religious man, however, and when I experimented with lightening my hair color, I think he was secretly horrified. I wasn't making a tremendous amount of money, and there never seemed to be enough, which was a constant source of tension in my marriage. My unhappiness with my gender steadily strengthened. When my career and my marriage both tanked, my exploration seemed to be leading in one direction: gender transition. One day, I could hold it in no longer, and I was talking with my secretary, a capable woman with whom I was quite close. I opened the dictionary, and pointed to the word "transsexual," asking her to read the word, and her eyes widened. Shortly before Christmas 1997, I was unemployed, separated from my wife, living in a friend's apartment, and my former life was no more. Starting life on January 1, 1998, as Jill, I felt lucky in a few months to land a job as a secretary in a large law firm at half my former salary, where I hid my legal past. Meanwhile, many of my newfound friends were living the most marginal of lives. While I very obviously looked like a transsexual in transition, my new employers were nonetheless happy to have a secretary who could type 80 words a minute and had no problem spelling "affidavit." Given the shortage of qualified legal secretaries at that time, it wouldn't have mattered if I had two heads. After a couple of years, however, my presentation became less ambiguous, and it was soon clear to all that I was what I seemed to be: a woman. I wanted to go back to my first love, teaching. I applied to Northeastern University's Law, Policy & Society program, where I obtained a teaching assistantship and a stipend, and obtained my doctorate in 3 years. I landed an academic job at Ramapo College in the Law and Society program. My area of research, transgender workplace law, is an up-and-coming field, and a number of academic journals have been pleased



to publish my work. I have also been sought after by organizations to assist them in addressing gender transitions in the workplace. I soon obtained promotion and tenure, and have been very happy teaching for the past 9 years. After blogging about my research, I became known in the transgender community, and soon began a steady drumbeat of contacts from transgender people who had endured workplace discrimination. These people were unable to find legal representation, both because they had little money and because many lawyers have little understanding of the trans community. I surprised myself with sudden desire to help, taking on a number of cases, possible because of academia's freedom and commitment to service. While I find practice no more thrilling than I did as a young lawyer, the cause for which I am working and the people that I am serving bring true satisfaction. When I think back to the many frustrations, personal and professional, that plagued me during my first years in the law, and compare them to my happy hours spent teaching and lawyering in the cause of justice now, it's clear to me that I have truly come home.

## PAULA KOHUT

I love the practice of law (except for the days I hate it). I relish the moments when a client sends me a note of thanks or hugs me, and when I help improve someone's circumstances. Sometimes, I represent clients I do not like or whose beliefs I disagree with. There are times I get angry or feel heartbroken when I cannot change the injustices some people must endure without a remedy. It pains me when I do not live up to my own expectations, an adversary "wins" a case I should have "won," or a jurist unjustly rules against my client or demeans my client or me. I regret it when I am rude or angry with my staff, colleagues, opposing counsel, court officials, or adversaries. While the joy of practicing law outweighs the moments of frustration, sadness, anger, and pain, I learned to cope with these feelings as a white male for the first 27 years of my law practice.

So, it is with some trepidation that I tell you my story as a transgender lawyer, since I was able to avoid bias and discrimination by living as a white male. I cannot tell you about many of the struggles a transgender lawyer faces because until recently (and then only infrequently) I have never had to overcome bias and discrimination while applying for a job, meeting with a prospective client, or networking with a referral source. I admit moments when I shamefully stood in silence while derogatory comments were made by others about transgender people, as well as gays and lesbians, both in my personal life and the practice of law. My trepidation is not of what any reader may think about that fact that I am a transgender person (I am very comfortable with and proud of who I am), but of the fact that I have avoided much of the bias and discrimination transgender people encountered by living in my birth gender.

In 1983, I started my law career at the age of 25 having graduated from Wake Forest University School of Law with honors. The law firm I joined and continued to practice with for 27 years had a uniquely positive culture of collegiality. I made partner in 1988 and was able to focus my practice in a number of different practice areas: litigation, corporate law, creditors' rights, health care, bankruptcy, and for the last 17 years, trust and estate planning, administration, and litigation. I became and remain very involved in the estate planning bar, presenting, writing, and serving on various committees with the North Carolina Bar Association, as well as volunteering with the Lawyers Assistance Committee of the North Carolina State Bar. In 2010, I was admitted to the American College of Trust and Estate Counsel.

In September 2000, I was diagnosed with relapsing-remitting multiple sclerosis (MS). Having read three books on MS that weekend, I was certain the worst was right around the corner. I also pushed aside the commitment I



had made to myself earlier that year to resolve a lifelong and secret personal struggle—accepting myself as transgender and beginning a gender transition. With MS, transitioning was out of the question. Once again, I did my best to forget my feelings of being transgender and focused on practicing law and overcoming my MS.

My law partners were incredibly supportive regarding my MS. Beginning in 2009, I had started to make accommodations in my practice with their support. By 2011, my health required that I leave what was a high-paced and intense practice in trust and estate litigation, estate planning, and estate administration. Effective June 30, 2011, I left my practice of 27 years to open a solo practice in Wilmington, North Carolina, in which I could better manage the pace and flow of my practice.

These health and career changes also provided an opportunity to deal with being transgender. It had taken decades to summon the courage to steel myself for complete rejection by colleagues, friends, and family members. I was certain I would be judged based upon negative stereotypes in books, movies, and other media. Fortunately for me, my fears on the whole have proved unfounded. I attribute most of the ease with which I have transitioned genders in the legal profession to the many transgender people with professional careers who transitioned before me.

My beliefs about the certain judgment and rejection of my peers were so wrong. I was very active in the North Carolina bar throughout the state as Paul, so my transition was hardly a secret. What surprised me most was the genuineness of the overwhelming majority of my colleagues throughout the state who welcomed me as Paula while at the same time the electorate in North Carolina passed a constitutional amendment banning same-sex marriage. While harboring a personal secret for over 50 years, it was easy to wrongfully project my expectations of rejection upon my colleagues, friends, and family both in and outside of North Carolina.

My transition has not been without challenges. Early on in my transition, I was treated poorly by a lawyer in an established firm. Based upon my life experiences as a white male, I do not simply suspect (as many minorities are routinely forced to do in face of discreet bias), but knew that my opposing colleague was treating me poorly because I am transgender. Yet, like most professionals, I refused the bait and ignored the actions of opposing counsel.

When practicing law as Paul, I was frequently marketed by trust departments, insurance professionals, and financial advisors. As Paula, very few have reached out and at least two have not followed up with an initial contact after learning I am transgender. I suspect the lack of marketing of my practice is due to the fact I am transgender and not the size of my practice. Of course, I will never know.

One prospective client, whom I could tell was initially thrown by my deep voice on the telephone, was too polite not to make an initial appointment only to call back and cancel professing to be called out of town on business. For the first time in my life, I question whether I am being treated differently because of my gender or that I am transgender. The existence of bias and discrimination is real, but subtle.

One of the many joys of my transition has been the support of my colleagues. The colleagues I have known for years in Estate Planning Section of the North Carolina Bar Association have welcomed me back. Another bright spot in my transition has been the American College of Trust and Estate Counsel which has embraced me from the date I called to change the name to this year when I was appointed to the Diversity Task Force.

I am in awe of those transgender lawyers throughout the United States who against all odds transitioned.

Finally, I hope that in the not-too-distant future, bias and discrimination against LGBT people, lawyers, and nonlawyers alike will be a thing of the past.



## VICTORIA S. KOLAKOWSKI

One of my earliest memories is of me wishing that I was born a girl.

My gender identity was something that I would struggle with for several decades, complicated by the fact that I was attracted to women. I fell in love and married a woman, and we both went to law school at LSU's Hebert Law Center.

During my third year in law school, my ex-wife came out as a lesbian, and I was meeting a variety of transgender folk on the new Internet bulletin boards. I was uncomfortable with living a double life—a lesbian at home and a straight man at school.

I decided to finally transition to living as a woman full-time one week after the spring break of my final semester in law school. I didn't want to transition after law school, because I wanted my attorney persona to be consistent—no changing names midstream. It was April 1, 1989.

So I just showed up on Monday morning at LSU Law in a dress. In retrospect, I could have handled that transition better, but so could everyone else.

I was shunned by my peers and largely by the faculty and administration. The firm where I was clerking began mailing me assignments and had me slip my work product under the door early in the morning so clients wouldn't see me.

The school refused to let me use any of the public restrooms, and instead I was given a key to the Chancellor's private bathroom, which was inconvenient for me and I am sure for the Chancellor. The school wouldn't let me graduate as Victoria, and resisted reflecting my legal name change on my transcripts.

That semester I received my highest grades in law school.

After graduation, my first hurdle was passing the bar. The Louisiana State Bar Association denied my application, saying that I was not of sound mind. This is a common opinion about transsexuals—that we are delusional or otherwise mentally unstable. So while studying for the bar exam, and having no money to hire an attorney (nor was there anyone experienced with this sort of situation), I petitioned the Louisiana Supreme Court *pro se* for permission to take the bar exam. They promptly granted my request.<sup>1</sup> It was my first post-graduation legal victory, but I didn't use my brief as a writing sample because it contained sensitive personal information.

My job search was tough. The law school suggested that I come out in cover letters to prospective employers so as not to "mislead" them about my gender. The firms where I clerked asked me to remove them from my resume.

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1. *In re: Victoria Susan Kolakowski*, 546 So. 2d 184; 1989 La. LEXIS 1502 (Louisiana, 1989).

I had plenty of interviews, all over the country. Typically I would be flown in, have a full day of interviews, and then hear nothing. I would give them 2 or 3 weeks, and then I would call the hiring partner. The answer was similar each time: “We don’t think that you’d be a good *fit* for our firm.”

I moved with my ex to Berkeley, California, for her to go to graduate school, and I found a law firm that hired me without doing a reference check. I came out as a lesbian, but I didn’t discuss being transgender.

When I told the personnel manager at the firm that I would need to take a month or so off for surgery, she immediately told the partners. They were supportive, and I had sex reassignment surgery in January 1992.

Soon after my hire, one of the other associates received a call from an attorney, someone from a firm where I wouldn’t *fit*, to “warn” him about me. A law clerk overheard the conversation, and the partners decided, without consulting me, to tell everyone at the firm. To be honest, it was a relief to be open about it.

Unfortunately, things did not work out with that firm. I worked as a sole practitioner, then as in-house counsel. I decided to work in the public sector, which I have found to be far more tolerant of differences and more focused on performance, and went to work at the California Public Utilities Commission (CPUC).

Things were going well at the CPUC when I was recruited as chief patent counsel at a small publicly traded company founded by a lesbian couple, one of whom was an out transgender woman. I eventually became general counsel and chief administrative officer. Unfortunately, we were battered by the dot-com crash and ran out of operating funds.

I returned to the CPUC, and then went to the California Electricity Oversight Board, where I rose to the number two position. Fulfilling an old dream, I became an administrative law judge, first with the California Dept. of Insurance and then with the CPUC. I enjoyed being a quasi-judicial officer.

Two prominent gay attorneys approached me about challenging an incumbent judge in San Francisco. I declined, as I neither lived in San Francisco nor felt that a judge should be challenged except for serious cause, but the discussion planted a seed. I liked the idea of being a role model as a transgender judge, someone who was respected for the same judgment that many people considered to be pathologically impaired. I didn’t know of many transgender attorneys with the experience to break through to the bench. If not me, then who?

When an incumbent judge in my home county of Alameda decided not to seek reelection in 2008, I jumped in. I lost that first race. Another seat opened in 2010, and I went all in, with my wife and I going into debt for the campaign. With the support of a coalition of LGBT and women leaders, young



professionals, and environmentalists, I placed first in the primary and eventually won in a tough runoff.

Just days after the votes were finally counted and newspapers around the globe reported that I was the first elected openly transgender judge, Houston Mayor Annise Parker appointed one of the nation's top transgender lawyers and a friend of mine, Phyllis Frye, to a municipal court judgeship. Judge Frye was sworn in first, and so she became the first openly transgender judge, while I became the first openly transgender trial court judge (as well as first elected).

Since my election, life has been great. I love my job. In 2011, I was a Community Grand Marshal for San Francisco LGBT Pride and named one of 31 international icons for LGBT History Month. I received numerous honors and awards. After the election I received congratulatory messages or honors from every school I attended except one—LSU Law.

However, in October 2011, LSU Law's LGBT law student group OUTLaw sponsored me to speak on campus, with full LSU Law cosponsorship. Visiting for the first time since graduation, I went to the ladies room, and saw a poster on a stall door inviting people to hear me speak. A packed room of students and faculty came to hear my story, and we shared a cake that read "Welcome Back, Judge."

## MIA YAMAMOTO

After spending a lifetime as a male, as well as a 30-year career as a criminal defense attorney, I made the decision to follow my heart and undergo gender transition. I had known of the gender disparity between my body and my brain ever since I was old enough to be aware of the rigid dichotomy between males and females, at around 5 or 6 years old. This awareness haunted my life from early childhood, through adolescence, and into adulthood, all the way into middle age. Growing up was torturous, fraught with alienation and suicidal ideation. I searched and questioned but never found anyone, during my adolescence, who felt the way I did about my incongruous gender identity. It was not until 1952, when the media reported the case of an ex-WWII-GI named George Jorgensen who went through a sex-change operation and became Christine Jorgensen, that I learned there were other people like me in the world.

I attended Catholic elementary and high schools, barely passing my classes until I entered junior college at LACC, and immediately flunked out of my first year. A year later, I reapplied to LACC and was readmitted on academic probation. I made a scholastic comeback sufficient to transfer to CSULA and graduate in 1966. I used my college experience to study my gender issues, conducting research in the libraries of the colleges, medical schools, and research institutions. I learned that my condition was rare but had been reported on and observed by clinicians, psychologists, and other researchers for many years.

At this time, the Vietnam War was raging, so I decided to volunteer for the draft, serve my country, and, if I died in battle, spare my family from the shame of my secret longing. I was first assigned to the fifth Army Headquarters in Illinois. My next assignment was to Vietnam. I only spent 3 months in the field before I was reassigned to base camp to work in the Awards and Decorations Section of the Administration Company. While in the Army, I decided that I would apply to law school. I entered UCLA Law School in 1968 and graduated in 1971, working first with Legal Aid Foundation of LA, then with the Office of the Los Angeles Public Defender. In 1985, I went into private practice.

My first job allowed me to afford therapy. I was able to explore my gender identity discomfort, and I was finally able to meet others who felt like me; however, everyone I met in therapy was very unhappy, depressed, and suicidal. Outside of therapy, I only found other transgender people who were living lives on the margins of society. What little I could find in the media treated transgender people with ridicule and rejection. I tried to find my way in the world through the arts. I joined a band and played professionally, danced in ballet companies, and immersed myself in my professional and community organizations. Although I gained some temporary gratification, I never achieved any lasting



personal or psychological fulfillment. I've read that gender identity disorder is something that you are born with, fight against your whole life, and which in the end wins. It is inescapable, incurable, and immutable. Moreover, I learned that it gets more insistent as you age. My first gender therapist came to the conclusion that I was transsexual and advised me to plan for sex reassignment surgery. I fired him. Twenty years later I came to the realization that he had been right. I started researching surgeons.

Finding the right surgeon was not that difficult, since most of the best gender reassignment surgeons are in Thailand, a country with a tradition of tolerance. I didn't want to let my family, my clients, and my community down by going through transition; however, I knew that, if I didn't, I would continue to feel dishonest and cowardly. I decided it was either do or die.

I started by coming out to my family. Most of them were disturbed by this revelation, but ultimately tolerant and accepting. I have one older brother who was enraged and disgusted. He told me that I was disowned, and that he would never speak to me again. I said, "If this is the last time we ever talk, I want to thank you. You were the rebel of the family. You taught me that I didn't have to be what everyone else wanted me to be. Good bye." He has not spoken to me since. I then came out to my clients. I told them that I was going to go through a sex change and, if they wanted to get another lawyer to represent them, I would find them someone good. Every one of them, without hesitation, said they wanted to continue with me. My office partner, although initially incredulous, accepted my transition. He is still my office partner today.

I'll never forget my first day in the Criminal Courts Building dressed as a woman. I got a number of shocked looks as I smiled and waved. My client and I went through the appearance as though nothing was different. The prosecutor simply asked me, "So, what do we call you now?" I told her I called myself "Mia" and thanked her for asking.

I did encounter some resistance from my fellow California lawyers who wrote letters to the *Los Angeles Daily Journal* condemning my transition pursuant to their fundamentalist views. I also encountered an inmate at the county jail (an accused serial rapist with a pending Sexually Violent Predator petition) who expressed his revulsion based upon his religious principles. I was prepared for this type of negativity from these segments of society, and really had no trouble ignoring them. However, I was stunned by an old friend—a fairly prominent Asian-American woman lawyer—who was openly hostile and publicly questioned my right to call myself a woman. Apparently, she resented my intrusion into her sphere of influence without having to face the barriers which she had had to overcome. Thankfully, I never encountered anything like her attitude from the many Asian-American women lawyers whom I've known or met.

The *Los Angeles Daily Journal* published a front-page article about me during this very hectic time. This helped immensely, since it spared me from having to come out and explain myself to everyone individually. Thereafter, I treated every day as an act of liberation. I was determined to forge a path for myself and for others like me. I prepared myself for whatever obstacles and obstructions I would have to face. As it turned out, there were not as many as I anticipated. After the article, many of the courtrooms I went into were even more welcoming. Often times I would walk into court and the entire personnel would be lined up to give me a hug and a kiss while offering their congratulations for my courage and integrity. I was moved to tears by how little I had expected of them, and by how enlightened and accepting they turned out to be.

This year it will be 10 years since I began my transition. What I did then was somewhat unprecedented in my community and my profession, to come out in such an open, public, and notorious manner. I've learned that coming out is an act of liberation, not just for the individual, but for the community, the society, and the world. We can be better, but we have to start with ourselves in order to eventually realize the change we wish for the future.



## SARAH SCHNORR

My name is Sara Schnorr, a senior partner in the Boston office of Edwards Wildman. An increasing rarity in the profession, I'm still practicing with the same firm I joined directly out of law school 33 years ago. A former member of the firm's hiring committee, I'm currently a member of the firm's diversity, pro bono, and legal opinion review committees.

Like many who suddenly found themselves at the same firm for 20 to 25 years and struggling with the changes in the legal industry over that period, I needed to do something to reengage in, recalibrate, and reinvigorate my practice. I also needed to resolve a deeply personal issue with which I had been wrestling for most of my life. I needed a change.

But unlike those in my cohort who pursued mid- to late-career change by moving to a different firm, or by retiring to teach or become a sailmakers, I chose to follow—with a grateful nod to Robert Frost—the road “less traveled by, and that has made all the difference” in my life.

My different road? After having spent 20+ years of paying therapists to “cure” me of the gender dysphoria I had battled with for over 50 years—mostly by repressing and feeling guilty about it, but by never being able ultimately to escape its imperative—I finally accepted that I was a transsexual.

Though designated at birth as male, my innermost identity and the sensibilities that I used to deal with life, to solve problems, to develop interpersonal relationships, had always been those of a female. From age 4 until I finally embraced that fact early in 2009, I had lived with my body sex and the gender of my soul in constant conflict. To resolve that conflict, the medically approved “Standards of Care” for treating transsexuals called for me to take controlled, progressive steps, both medically and socially, to transition to living completely as a female, a lengthy and complex transition process I began in January of 2009.

I disclosed my gender transition plans to firm management and to my three most significant clients in mid-July of 2009. Firm management and my clients all had essentially the same response to my news: “Of course we'll support you!”

By August of 2009, I was living as a female 7 days a week, except for the hours I worked at Edwards Wildman's offices. In September 2009, Probate Court approved my name from Tom to Sara Schnorr; I obtained a new driver's license identifying me as female; and I changed my name with the Social Security Administration. On November 14, 2009, I underwent extensive “facial feminization surgery” in Chicago. And with the support of my firm, my colleagues, my clients, and the Boston legal, governmental, and affordable housing communities I had worked with for 30 years, on my return from Chicago in

December, I began to practice law as Sara. My transition to being Sara, my true and authentic self, had achieved initial success. To my knowledge, I'm the first person who underwent a "sex change" while a partner at an AMLaw 100 firm.

My transition has gone much better than I ever could have expected.

Since my transition in 2009, my metrics—those billable hours, billings, and collections that big law lawyers deal with daily—have increased about 10 percent year over year—despite the recession and the weeks that I spent recovering from extensive additional transition-related surgeries in 2010 and 2011. And I have acquired new clients, and I have received more internal referral work from other practice areas within the firm than I have in years.

Once of my partners recently told me I've noticeably changed for the better: pretransition, I was perceived as an amiable, hardworking, and solidly reliable partner; but since my transition, I had morphed into a more personable, happier, engaging, and outgoing lawyer! Other lawyers in my firm now tell me that they really don't remember me as Tom, but rather only as Sara, someone they feel like they've known for years.

When I disclosed to my key clients that I was transitioning to a female, each one told me that "why would that make a difference to us? You've represented us for years. You understand our business, you are responsive to our legal demands, you solve problems creatively, and our staff likes and respects you. To retain you as our lawyer, we will gladly learn to call you Sara. Now let's talk about the latest matter the company is facing. . . ."

I think my transition has been successful for a number of reasons.

I had spent 30 years developing specialized practices in the acquisition, development, permitting, and financing of affordable housing and community development project, an industry—at least here in Massachusetts—that involves predominately diverse, progressive, and open-minded professionals who realized that my transition did not affect my legal abilities. Too, my firm has always been culturally progressive. When I joined Palmer & Dodge in 1979, the firm had three women and two openly gay partners; and several years before I transitioned, had "gender identity and expression" was added as a protected class to the firm's equal employment opportunity and nondiscrimination policies.

I was—and continue to be—a contributor to my firm's economic bottom line, to associate hiring and training, and a huge promoter and supporter of pro bono work.

And in many ways more important than I wish, I present convincingly as a stereotypical, professional 60+ year-old woman who is physically indistinguishable from and blends in with the other "older" female lawyers in Boston. In other words, I don't embarrass my firm or my partners, since new clients and new partners—who were not connected to my firm in 2009 when I "made the change"—frankly have no idea that I'm not a genetic woman.



Based upon my rather unique perspective of having been on both sides of the gender divide, I've learned a lot about the dynamics of the legal practice.

Many male lawyers and clients do in fact treat female lawyers differently than they do male lawyers. Males approach female lawyers with less respect, often with a mildly condescending attitude, and typically assume the female lawyers really don't have the same skills that men do. It will likely take several more generations before that changes.

Physical attractiveness of women lawyers is overly important to males still in control of big law; gender discrimination remains pervasive in the profession. Women associates who meet traditional notions of being attractive progress much more rapidly in the associate ranks than do their sisters who are more "plain" in their presentation. That remains one of the shames of the profession.

Even though I dropped several rungs on the status and privilege ladder merely by changing my gender, and even though I often find that male lawyers and clients treat me in ways they never would have done while I was practicing as Tom, I'm now very healthier, happier, and more productive as a human being and as a lawyer than I ever was before.

As wonderful as my successful gender change has been, I'm deeply saddened and upset to report that the large majority of other lawyers who attempt transition in the legal workplace meet with no success, but rather typically themselves out of a job. That's an issue crying out to be addressed by the profession.

## PHYLLIS RANDOLPH FRYE

My military career was cut short in 1972 when command learned that I had transgender ideas in my head, even though I had never cross-dressed while on duty or on post. I was pushed out with an honorable discharge. Next, my engineering career was put on hold in 1976 by the Houston area engineering firms who blackballed me as I began my full-time transition. Although a licensed Professional Engineer, I could no longer get engineering work. Meanwhile, the neighbors were mostly horrible to me and my wife. (As of this writing, we have been legally married for over 40 years.) Our house was egged, our driveway was spray painted with graffiti, and our vehicle tires were slashed.

Unemployed and unemployable, I sought to use my GI benefits to seek an MBA and buy time while potential engineering employers got used to me being the woman who they had previously known as a man. While checking area colleges, I found one that had a joint MBA/JD program. I never had any intention of actually practicing law. To me it was 2 more years of monthly GI benefit income along with the possibility that when I became a lawyer, the neighbors would be frightened enough to leave us alone. That is how I entered the University of Houston Law School to study law—by accident.

During law school, I developed a cleaning supplies business and had most of the gay bars in Houston as my clientele. After I passed the bar in 1981, I could not find a job, not even with the few, semi-out, local gay attorneys who I knew. So, I kept selling cleaning supplies. A gay architect hired me from time to time, as I had a Professional Engineering license and could study and seal his structural plans. That is what I did until late 1986 when the Reagan recession finally reached the Houston area. The bars used more “elbow grease” and with a local housing slump, there was no need for new house plans. I had had maybe three legal clients during those 5 years.

In November 1986, a gay military person called me for assistance with a DWI. He had been arrested a block from a gay bar. He was afraid that if this was in the newspaper (remember, this was in 1986 in Texas) that command would learn of his being gay and he would be dishonorably discharged. I got him a plea deal, kept it out of the paper, and collected my fee in cash. With that cash, I bought my first ad as a lawyer in a weekly gay bar guide. A year passed, I had a few more clients, but nothing big at the time. It then occurred to me that for the past 8 years I had been politically active in the local Gay (now GLBT) Political Caucus and had screened many judicial candidates who now sat on criminal benches. They knew me well and had no concern about my being transgendered. Soon, I was appointed to represent indigent criminal



defendants. Over the next 3 years, I made enough money for my wife and me to pay our mortgage and all of our outstanding debts.

I continued to practice law out of a bedroom in my house. Except for writing wills, I met most of my clients at the courthouse or in the jail. I won most of my criminal jury trials. I took some divorces and tried my hand at personal injury. By 2005, I was still using my home office and was limiting my practice to court-appointed criminal defense, a will now and then, and transgender documents.

I began taking transgender clients to the courts for name change and such in the mid-1980s. The judges knew little of us other than stereotypes. The judges would not even change a name until after the transgender had completion of all surgeries. I began to ask in oral argument, “How can someone survive financially if they have the former name on all ID and job applications for the several years of their real-life experience before surgery?” Slowly, my reputation in the courtroom and general goodwill among colleagues grew. I began to convince some judges that changing the identity documents at the beginning of the transition was best. In my state, with judges being elected in partisan political races, this work remained difficult—especially after the “state went red” in 1996. Sadly, even judges of goodwill would not help as—they feared being outed as moderate and drawing a conservative primary opponent.

During all of these years from my transition in 1976 through until now, I have been a very out and vocal women’s advocate, LGBT advocate, and person of color advocate. But my primary focus was on transgender advocacy. Much of my history is available through writings and law reviews available on [www.liberatinglaw.com](http://www.liberatinglaw.com). I have been dubbed the “grandmother of the national transgender political and legal movement.” In 2009, Texas A&M University began giving an annual advocacy award named after me.

In 2005, I was invited to join with two out, gay lawyers as a partner. Over the last 8 years, the firm’s partners and associates have changed several times, resulting with me now being the senior partner of an out law firm working with LGBT and supportive straight clients. Two years ago, we bought our own building: it is small, but it belongs to us and the bank. We cover just about everything. Now in my mid-60s, I feel very accomplished and that I have reached the kind of professional plateau that I would have probably reached in my 40s in either the military or engineering had I been allowed to continue in either field. I am very pleased and comfortable with my life at this point.

Which leads me into the subject of how did I become the first out, transgender judge in the nation—possibly in the world? Again, it was by accident. Reading the above, and other items on the Website, it should be obvious to any reader that becoming a judge was something that I never even considered. I had

had so many doors closed to me, and those that I did open, I opened with sheer will, struggle, and tenacity.

In the early 1990s, I played for several seasons on a lesbian softball team. The team's coach and I became friends. She is now the Mayor of the City of Houston. She knew of my experience as a felony trial lawyer and felt that I could certainly handle "traffic court." When I was appointed as an Article 45 Municipal Judge, I asked to be an Associate rather than a full-time. As Associate I could continue with my law firm. In November 2010, I was sworn as a Judge. I regularly sit on the municipal bench one night each week. I am, by statute, a Magistrate for the State of Texas: I can sign search warrants, arrest warrants, and I can marry folks. I thoroughly enjoy the honor of being a "Your Honor."





# 5

## Reflections on Progress

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*Publishing this book would not have been possible 25 years ago. Our authors share a remarkable journey, starting with their struggle for authenticity in a world that was less willing to accept who they were. For many, formative experiences included hostility in the classroom and on the job. Yet each experience strengthened their resolve to ensure that others do not have to follow such a difficult path. These authors have worked for social change by volunteering their legal skills and through bar service. Their experiences over time demonstrate how far the legal profession has come, while simultaneously demonstrating that much work remains.*



## GEORGE BACH

The slightly round chiropractor had just finished publicly diagnosing gays and lesbians as sick, unhealthy individuals. He concluded his remarks by noting that most gay men were disease-ridden with an average life span of 35 years.

The chair of the school board then acknowledged me as the next speaker. "My name is George Bach and I am a staff attorney at the ACLU of New Mexico," I said. Boos erupted throughout the room. "And I am proud to say," I added, "that I am a happy and healthy 38-year-old gay man."

I always believed my job was the easy one in those situations. The school board in a rural New Mexico town was contemplating banning all high school student groups because a handful of students were trying to start an LGBT student group. Showing up and drawing the fire away from those courageous students was an easy task, and an honor. Let the school board despise the gay lawyer from the ACLU and take the heat off the heroes: those gutsy students who dared just to be who they were. Give the board a little lecture about the closing of the pools in Birmingham, Alabama, in 1962. In the end, the school board approved the LGBT student group.

It was only 16 years earlier that I had sat alone, parked in my car across from the first gay bar I ever entered. Unlike some of the rainbow-adorned clubs of today, the bar was a nondescript stucco building with no windows on Route 66 in Albuquerque, New Mexico. I sat across the street, peering over the steering wheel, watching to see what the people were like who parked and went into the bar. I watched to see whether they had leather chaps or whips and chains. (They didn't.) Life before the Internet and "Will & Grace" and "Modern Family" seemed so much scarier for the closeted 22-year-old gay guy, although it remains plenty scary for the young people trying to come out today. The irony for me is that what was once a dark, potentially frightening place is now a celebratory respite. Whenever I want to escape the hustle and bustle of the legal arena, I know I can go to the place where the people throw their hands in the air and dance.

Since coming out, I have always felt very fortunate. Coming out wasn't easy for me, but after I did, I have never felt the need to hide my sexual orientation, even in the legal profession. In law school I was president of the Lambda law student group, and we protested JAG recruiting (before the demise of Don't Ask, Don't Tell) by signing up for recruiter interviews. What a blast! I'll never forget the recruiter who, knowing full well what I was doing (because I told him), proceeded to interview me anyway and even chased me down in the bowels of the law school library to give me a US Army mouse pad that he had forgotten to hand me at the end of the interview.

After law school, I was very much “out” and “about.” For a couple of years, I served as president of the New Mexico Lesbian and Gay Lawyers, and got to see firsthand how much it meant to 64 couples to receive wedding licenses handed out almost on a whim by a New Mexico county clerk one October morning. I saw the Board of Education for the Albuquerque Public Schools become the first school district in the state to extend domestic partnership benefits to same-sex partners of teachers and employees. I worked on a lawsuit that resulted in retiree health-care benefits for same-sex spouses of state employees. I witnessed my favorite lesbian law clerk successfully argue a motion, seeking full parental rights for *both* lesbian mothers over their young infant. I helped seek back pay for an Air Force serviceman who was discharged just for kissing his boyfriend off duty and off base. I’ve sat in the rooms with brave lawyers and lobbyists and legislators (who were fighting the fight for years before I even came out), debating incrementalism versus absolutism on the issue of marriage equality. And, I attended a mayoral ball with a transgender colleague, who stood well over 6 feet and was decked out in a beautiful sequin dress. Being “out” has always been a barrel of fun.

Through all of that, I was the lucky one. I could be open; I could be “out” and “about.” There’s nothing brave about being “out” and “about” when it’s easy for you to be. It’s been pretty damn easy for me because I can be. I can’t think of an instance where I was treated differently by a judge or a client or an opposing counsel. Sadly, it probably helps that I am a tall, masculine male who nobody would guess is gay. (I am probably “their kind of queer,” to borrow from Don Imus.) For whatever reason, being “out” has been easy for me. I probably received more boos for being an ACLU lawyer than for being gay. But I know for every one like me, there are 10 others who don’t feel that they can be who they are publicly. For family, political, religious, or personal reasons, they just can’t be fully open about who they are. And that, in effect, is their version of sitting in the parking lot across the street from the gay bar, peering over the steering wheel, watching who goes in, wondering if they can throw their hands in the air and dance.

So, for them, I have always felt the need to speak a little louder. And until their fear is gone, I always will.



## ANDRÉ A. HAKES, ESQ.

I was always a butch girl, no bones about it. You could see me coming a mile away. In the spring of 1996, I graduated from the University of Virginia School of Law. I drove my 1972 Chevy pickup down the road to Roanoke to sit for the bar exam, dressed in my customary boots and jeans, but I put on my best panty hose “drag” to sit for the bar exam. I passed anyway. So there.

Months later, I stood in a room full of fledgling lawyers in Richmond, at the swearing-in ceremony, listening as some old chestnut of the bar intoned, “Raise your right hand, please. Do you solemnly swear or affirm that you will support the Constitution of the United States and the Constitution of the Commonwealth of Virginia, and that you will faithfully, honestly, professionally, and courteously demean yourself in the practice of law and execute your office of attorney at law to the best of your ability, so help you God?”

Somehow, in my headlong rush to that moment, it had not occurred to me to wonder what exactly I would be asked to swear to at the “swearing in.” For all my posturing, I was a “good girl” to the core. I never snuck out of the house in high school. I never smoked a joint in college. I never even ripped the tag off my mattress. And I was very young, and earnest about being a lawyer. I was so proud to become an officer of the court.

However, at that moment, as I prepared to swear to those words, I found myself thinking about Virginia’s sodomy statute, which criminalized being gay. Essentially, that law made it a crime to be me—and not just a speeding ticket either, but a full-fledged felony. I wondered if I should take that oath.

I thought about the laws of our history, particularly in the South—about slavery, Jim Crow, and the rule of thumb. I wondered how the law would ever get changed, if those who would change it were denied participation in its ranks. I also reasoned to myself, in true legal hair-splitting form, that the sodomy statute was just that—a statute. It was a law, not a part of the state constitution. I was swearing to uphold the constitution, not a statute. Besides, every kid who’s been through Con Law knows that when a statute is in conflict with the constitution, the constitution wins. I thought about “due process” and “equal protection” as I said “I do” to the Virginia Bar.

For the first couple years of practice, I hung a shingle with a more experienced attorney in a small office in Fluvanna County. I told everyone I made “partner” first out of all my law school class—and I ate a lot of Ramen noodles. After that, in 1998, I applied for an associate position at the law firm of Tucker & Griffin in Charlottesville. I didn’t wear my Levis to the interview, but I didn’t wear panty hose either. I made the fundamental call that I was just going to be

myself, and if a firm didn't want me because I was gay, then that firm wasn't somewhere I wanted to work. I got the job.

In 2003, SCOTUS decided *Lawrence v. Texas*, striking down as unconstitutional those laws which criminalized private sexual activity between consenting adults. I was relieved to hear that the Supremes agreed with me—my life was not a crime. They hadn't agreed in 1986 when they decided *Bowers v. Hardwick*, but I decided to give them another chance, and they came around.

In 2004, the Virginia General Assembly undertook a blanket revision of Title 18.2 of the Code of Virginia, essentially rewriting the criminal code. They purposely refused to remove or rewrite the sodomy statute. In fact, it's still there—they just can't use it anymore.

In 2006, the Virginia General Assembly passed the Marshall-Newman Amendment to the Virginia Constitution. It didn't criminalize me, but it certainly reminded me that people in power believed my family and I belonged at the back of the bus. I was glad I was not a new attorney taking the oath that year, and I wondered if any of the new recruits were thinking about that oath the way I was. I thought about *Loving v. Virginia* and reminded myself that the guarantees of liberty contained in the US Constitution can be expanded, but not narrowed, by a state government.

In 2008, I started organizing demonstrations and events in Charlottesville. I marched down the Downtown Mall. I waved the rainbow flag. I issued press releases, hosted fund-raising dinners, and began signing up groups of people to go to the Circuit Court Clerk's office in Charlottesville on Valentine's Day every year to apply for marriage licenses. We always come with big red heart-shaped boxes of chocolates and Hershey's kisses for the folks who work there. We ask to get married, and over the years the answers have started to sound less like "No" and more like "Not yet."

In 2013, I was driving back to my office in Charlottesville from a hearing in a Greene County when I heard the result of the *Windsor* case on NPR. I screamed. I cried. I beat on the steering wheel. I called my partner. When I got back to my office, I printed out the decision and read it over and over again. I marveled at the words "personhood" and "dignity." I savored the assertion that "due process" and "equal protection" applied to me. Well, almost me. Scalia's dissent is practically a road map for states like Virginia, which do not yet have same-sex marriage—and we are on our way. Whether it's the ACLU of Virginia and Lambda Legal in *Harris v. McDonnell*, or the dream team of Boies and Olson in *Bostic v. Rainey*, someone is going to make good on Constitutional promises of liberty here in the Commonwealth.

I am a partner at the law firm of Tucker Griffin Barnes now, so I guess that was a good call. I wear my cowboy boots every day, and men's suits to court,



with big hoop earrings. I have a successful criminal defense practice, try lots of juries, including some high-profile ones. As a bonus, I also get interviewed by the local TV station every time someone says the words “gay” and “law” in the same sentence. Because I am comfortable with myself, most people inside and outside of the legal system are comfortable with me. Because I am not pretending to be something I’m not, I can focus my energy and intellectual resources on my clients’ cases. Because thousands of people—doctors, lawyers, and Indian chiefs—are *out*, the world is changing.

Someday soon, I will go to the Clerk’s Office on Valentine’s Day and hear “Yes.” Someday soon, I will see equal protection in action, here on my home turf. Someday soon, I will get to say “I do” to my partner of 18 years, here in my home, sweet Virginia. I will have my boots on.

## MARIO SULLIVAN

Ever since middle school I have known that I wanted to be a lawyer. Becoming a lawyer was a calling for me, a calling to a profession that can make a difference in the lives of the underrepresented. As I reflect upon my career, I have had the honor and privilege to work in a profession that can and does make an impact in the lives of our clients, our communities, and our society.

I began my journey faced with many challenges coming from inner city schools, a single-family home, and the first in my family to go to college and law school. I have had to work twice as hard and remain twice as dedicated to be where I am today. I do not regret having to face these challenges nor would I change anything. These challenges have provided me with the skills and experiences I needed to remain dedicated to achieving my goals and to realizing my calling in this world.

Coming out was one of the biggest moments in my life. I did not come out until after college and have always known that when I did, I would face many struggles in the legal profession. Before going to law school, I struggled with whether I would come out to my classmates. My perception of the legal profession was that of a very conservative-minded profession with respect to the LGBT community. I did not want my sexual orientation to be a detriment to my becoming a lawyer. In the end I decided that being true to who I am was more important to me and my future career. Although some of my fellow classmates were not as accepting as I would have liked, I found that the majority of them were and received tremendous support from so many.

In my second and third year of law school, I struggled with whether or not I should place my LGBT law school activities on my resume. I again decided that I would not let the prejudice of some affect me being true to myself and realized that if those activities would be a hindrance to getting a position, I would not want to work at that firm. I knew that I could not enjoy the work I do and feel fulfilled in my career if I had to hide who I was from my colleagues in any firm.

I still face many struggles in my practice and will continue to face such until the LGBT community is fully accepted in society. I struggle with concerns of not obtaining or losing clients if they find out that I am gay or that an opposing party or judge might treat me differently. I have been fortunate so far and have never experienced such, but it still remains a concern in my everyday practice.

Although I do still think the legal profession has far to go, I have seen tremendous change. I believe that change has only occurred from the dedication of many lawyers, both LGBT and supporters of the community. Our commitment



to becoming a part of this profession, to being an advocate for our community, and to showing that no matter what one's sexual orientation, one can be a great lawyer, has changed the minds of many. For me, being a lawyer and active in the bar associations is the most effective way to achieving acceptance and change. I have seen how my participation in the profession has changed the minds of many and brought the LGBT community closer to full equality. I am ever more committed to improving the lives of LGBT individuals and our profession. No matter what challenges and struggles we may face, I know we can overcome them and achieve equality.

## LARRY LEVINE

It seems particularly apt that I am starting to write this brief essay on November 27, 2012, the thirty-fourth anniversary of the assassination of San Francisco Mayor George Moscone and openly gay San Francisco Supervisor Harvey Milk. That tragic event has affected me personally and professionally in profound ways.

Like many gay men of my era, I viewed San Francisco as the gay Mecca, the Holy Land of Homosexuality, if you will. Thus, looking for an excuse to leave the wonderful but often chilly city of Chicago and thinking it might be time to find a career beyond my job as a Junior Assistant Manager for The Gap, the logical decision was to relocate there. And, as a political science major with few marketable skills, the sensible thing was to enroll in law school. In August 1978, I left the Windy City for new academic challenges and what I hoped would be lots of gay adventure.

I found myself enrolling in the state-supported law school in San Francisco because it was a lot cheaper than the only other San Francisco law school to which I had applied. While it may seem cruel to note that for my final 2 years of law school I paid \$848 a year for tuition, in some ways I got what I paid for.

What became apparent to me quickly was that, although I had picked a law school smack dab in the heart of progressive San Francisco, I should not expect gay, lesbian, bisexual, transgender (LGBT) issues to be raised in my courses. [Of course, LGBT issues were not targeted for exclusion; we also didn't talk about race, gender, ethnicity, or class.] It wasn't that I was an activist with an agenda; I was simply a progressive-minded gay man looking for something relevant to my life amidst the discussion of few simple absolute and pendent jurisdiction. I actually recall trying to raise the issue of whether calling someone "gay" could be defamatory given the increased acceptance of homosexuality near the end of my first-year torts course; my professor had no clue of the point I was trying to make nor any interest in engaging me about it.

The nadir of the law school's indifference to the world around it was on November 27, 1978, the day of the murders of Moscone and Milk that took place just blocks from the law school. Mayor Moscone was an alumnus of the law school and Harvey Milk was already an icon to so many of us who came to San Francisco to be part of the struggle for LGBT rights. Indeed, I had met both of these extraordinary men the month before the killings: Mayor Moscone had come to the law school to meet informally with some students of which I was a part and I got to say "hello" to Supervisor Milk at a "No on 6" event. (Prop. 6 would have banned gays and lesbians from teaching in California classrooms. Really! It lost in the November 1978 election.) Two great men were gunned



down by another elected official blocks from the law school, yet, the law school did nothing: classes were not canceled, no convocation was called to bring us together to mourn this enormous loss, nothing. Well, almost nothing. My criminal law professor, who happened to be my first-year section's only female professor, the morning after the killings did cede 10 minutes of class time and invited us to comment on the horrific events that had transpired the day before. To my eternal embarrassment, I participated in a conversation entirely about the degree of homicide for which the killer, Supervisor Dan White, should be convicted. After a couple months of law school, we had already lost our humanity and could only analyze the legal aspects of what was an enormous human tragedy.

At some point during law school, I decided that my professional goal was to become a law professor with an aim of being as different from most of my law school professors as possible. I had always wanted to be a teacher (having forced my younger sister to play school far more than she wanted to when we were kids) and law seemed like as good a subject to teach as any. So, after a great Federal District Court clerkship and a 2-year stint at the wonderfully gay-friendly firm of Morrison & Foerster (where I excelled at attending recruitment lunches), I interviewed with dozens of law schools in 1984 for a law professor gig.

The law school closest to San Francisco that made me an offer was the University of the Pacific McGeorge School of Law. What a jarring change to go from San Francisco to Sacramento; while the latter was only 90 miles away from the former, they might as well have been in different countries. Sacramento then was quiet, conservative and utterly lacking in culture. [It has changed mightily over the last couple decades, I hasten to add.] And to go from a progressive, gay-friendly law firm to a startlingly conservative and traditional law school was such a shock to the system that I quickly reverted back to the closet. Even though the law school's long-time dean, Gordon Schaber, was assumed by many to be gay himself, antigay remarks among the older faculty were not uncommon. And there was virtually no diversity on the faculty (being Jewish made me exotic at the time I was hired). My willingness to hide my sexual orientation ended when the love of my life, Jeff Poile, was diagnosed with AIDS in 1991. I no longer had the energy nor the desire to not be fully open with my colleagues and students. It was not bad timing that I got tenure about that time too. In addition to my work that I started in the late 1980s, creating an AIDS legal referral panel for Sacramento, in 1993, I also had the honor of being asked to join the California State Bar's newly formed Committee on Sexual Orientation Discrimination. Meeting remarkable lawyers fighting for LGBT civil rights inspired me on a path of commitment to use my legal education to participate in this struggle. From there, I have been an active participant in the LGBT legal community serving on the Board of the National Gay and Lesbian

Bar Association, serving as the chairperson of the Law School Admissions Council's Subcommittee on Sexual Orientation and even being a cofounder of Sacramento's LGBT Bar Association, SacLEGAL.

I realized that I had maintained the status of "avowed gay law professor" when some students would add gratuitous gay-friendly exam comments like, "while Pam may be able to recover loss of consortium against Dirk, who injured her husband, if Pam were male, many states would not allow the recovery of loss of consortium for a same-sex couple. This is an outrage!" Ultimately, it has been an honor to be one of several openly gay and lesbian faculty members at my law school working closely on LGBT students and non-LGBT students alike on the ongoing struggle for LGBT equality. And I take some pride in helping transform the law school. Pacific McGeorge is a completely different place with a richly diverse faculty that includes several gay, lesbian, and bisexual folks, a remarkably active Lambda law student group that puts on a yearly drag show in which faculty perform, and one of a few schools with a LGBT-targeted scholarship.

There is so much more that I'd like to say. I'd like to write at length about the many amazing folks who have dedicated their lives to the struggle for LGBT equality and about how much they have inspired me. I'd like to discuss further how grateful that I am living at a time where wonderful things are happening for our community, and how I remain mindful that there remains much more work to be done.

I will end as I began, however. Each year, I have the privilege of talking to all of our entering students about "the law school experience." In that lecture, I tell them about Mayor Moscone and about Supervisor Milk, I remind them about the role of law in the ongoing struggle for equality and justice and, using my own law school experience, I warn them about the need to struggle to retain one's humanity during law school. What an honor it is to share these lessons with a crop of soon-to-be lawyers each year.



## BARBARA BRYANT

In 1977, I decided to become a lawyer as my way of advancing the rights of women and the lesbian/gay community. I had spent most of the 1970s out of the closet as a feminist political activist in both the Women's and Gay Liberation Movements. It was a natural trajectory for me to extend these activities into law school, and by 1977, there were a number of ways for me to do so, thanks to those who had come before me in the legal profession who had written articles, created courses, and started organizations and law centers advancing women's and lesbian/gay rights. Many of these pioneers were located in the San Francisco Bay Area where I lived.

I attended Golden Gate University School of Law in San Francisco, which at the time was the most women-/gay-friendly law school in the region. I immediately joined its women's organization and Lesbians in Law chapter. During my time there, the dean and associate dean were women, several of my law professors were women, and there was the *Women's Forum* law review, for which I was a writer and then editor. With a few exceptions, the professors with whom I interacted were either actively supportive of or at least not hostile toward women's and gay issues.

My experiences at Golden Gate were pivotal for success in my legal career—in personally supporting who I was as a feminist and lesbian, nurturing me academically as I honed my political voice in this new legal environment, and in providing me important contacts in the legal profession who also supported me and helped advance my career. Also, I was greatly bolstered by such groups as Equal Rights Advocates and the Lesbian Rights Project (now National Center for Lesbian Rights) in my decisions to be out in my professional life and regularly speak about women's and LGBT rights, including interrelated social justice issues such as race and class.

I have enjoyed a rewarding and meaningful career these last 30+ years, including as a federal court law clerk; litigator of individual and class-action cases of employment, harassment, and discrimination issues; ADR neutral as a mediator, workplace investigator, and discovery referee; member of numerous legal boards and committees, including Vice President of California Women Lawyers and Board Member of the Alameda County Bar Association; and law professor teaching sexual harassment law at the University of California, Berkeley School of Law (Boalt Hall).

I am grateful for the social justice contributions I have been able to make through the legal profession, and for the people who helped make these contributions possible. At the same time, I have personally experienced the ignorance, fear, and discrimination directed toward members of the LGBT community,

both in and through the legal system, and have seen many people harmed along the way solely for loving someone of the same sex and/or challenging imposed gender roles.

The first and one of the most pervasive alienating experiences I had in the mainstream legal profession was the absence of visible signs of support. Although I had several women professors at law school, I had only one professor, for one class, who was a member of the LGBT community. Happily, this professor was a brilliant, irreverent, empowering woman who was a wonderful role model. For many years, most mainstream legal organizations, firms, courts, and periodicals did not affirmatively address issues of concern to the LGBT community; have LGBT support groups or committees; or have out LGBT members as leaders, partners, directors, or editors. Most legal professional and social events were dominated by straight white men. While these situations did not color my entire legal experience, I was aware at times of the loneliness engendered by these absences, and skipped some events I otherwise would have attended, thus narrowing my professional visibility in those circles.

The most painful experience I had dealing with homophobia in the legal profession was the breakup of a 7-year relationship with a woman attorney who was very dear to me. She was professionally prominent, in the closet, and nervous being with someone who was a known lesbian attorney, from fear of negative professional consequences. We gave it our all, with her trying to be a little more out, and me trying to be a little less out. Eventually, we came to the sad realization that a romantic relationship was not workable.

Another challenge in the legal community was the decision whether or not to be public about being LGBT at all. This decision was a difficult one for many LGBT attorneys I knew, because of, among other things, not wanting to be labeled with the negative stereotypes held against our community by many in the legal profession, or face the likelihood of discrimination at work. These decisions at times were wrenching for individuals, as well as challenging for couples who were not in agreement about it.

Another disappointment for me of the mainstream legal world was the constant assumption made that I was straight, married to a man, and had children. These tiresome exchanges required frequent on-the-spot decisions on what to say, and then a response to their reactions of embarrassment, surprise, annoyance, or avoidance, upon hearing the truth. On the few occasions when I brought my now partner of 25 years (and legal spouse for 4 years) to professional social events and introduced her as my partner, many attendees assumed she was my law partner and had trouble understanding she was my life partner.

On the other hand, as time went by, there were more positive responses of support and genuine interest. Occasionally, however, this interest leaned toward



the prurient, such as one man I worked for who frequently pointed out women he thought were attractive and wanted to know if I thought so as well.

For most of my legal career, I represented clients who had been discriminated against, including on the basis of their sexual orientation or gender nonconformity. Through these cases, and the often cruel and damaging conduct my clients had experienced, I was continually reminded of the prejudice still directed at LGBT people, and the deep pain such attitudes and prejudice could cause. While my heart often broke at their pain, I also rejoiced when I could help them stand up to discrimination, perhaps educate the other side along the way, and find what vindication was possible through the legal system. But these cases also were a reminder to me of my own disfavored LGBT status, and how many people in the legal profession, including some opposing counsel and judges, still held negative views.

In reflecting on my legal professional life from the 1970s to now, my overall experience is of awe and gratitude for how dramatically attitudes have changed toward LGBT people and their issues—both within and beyond the legal profession. This awareness, however, is tempered by a sadness for how long it has taken for these incremental changes to occur, and how many people have been harmed along the way solely for loving someone of the same sex and/or challenging imposed gender roles. I still experience daily the need for further progress, particularly in the areas of marriage and parenting rights for all, as well as full acceptance of gender nonconformity.

Nevertheless, for all the difficult times related to being a woman and a lesbian in the legal profession, and for the significant work still to be done, it has been a rewarding path. I have been fortunate in finding support and opportunity for a professional and personal life of joy and meaning, and, most importantly, for living life authentically.

## NANCY D. POLIKOFF

In 1974, as Nan Hunter and I entered our third year of law school at Georgetown, we had one goal in looking ahead to the work we would do after graduation: making a contribution to radical social change from a feminist perspective. We both came out while in law school; we identified as lesbian feminists; we wanted work that reflected our values and that would contribute to social and economic justice. Is it any surprise there were no jobs for us?

Conventional law practice was obviously out of the question. Legal services offices and public defenders did work we believed in, as did progressive lawyers associated with the National Lawyers' Guild (NLG), but we wanted something different from representation of individual clients in a male-dominated environment. Feminist public interest law was in its infancy, developing from the passion and commitment of women who graduated from law school just a few years before we did. One of us worked in law school for a newly formed feminist think tank; the other worked for a monthly publication providing the latest legal developments affecting women. Both of us volunteered at the Women's Legal Defense Fund (now the National Partnership on Women and Families), which did not hire its first lawyer (and part-time at that) until 1974.

Even if these feminist organizations had had jobs available, which they didn't, they would have fallen short of what we wanted. At the time, the agenda of women's organizations did not include lesbian issues. There was no gay rights legal movement; Lambda Legal (then Lambda Legal Defense and Education Fund) was formed in New York in 1973, but it did not hire its first lawyer until a decade later. And Lambda and other gay rights volunteer legal efforts were controlled by men and focused on gay male issues.

The lack of jobs did not discourage us. On the contrary, it impressed upon us the one obvious course; we had to create our own jobs. And so we did. Although we each pursued other work our first year out of school, giving us time to pass the bar, get organized, and find coworkers, in September 1976 we opened the Washington DC Feminist Law Collective. Around the country, in places including New Haven, Chicago, Boston, Los Angeles, Portland, Oregon, and Pittsburgh, other progressive lawyers—women and men, gay and straight—were founding similar law practices. As far as we know, however, ours was the only one identifying itself as a feminist law collective.

Our collective wrote a five-page statement of purpose, explaining our perspectives, values, law office practices, and intentions. We can best relate who we were at that time by excerpting that statement here. It began as follows:



We live in a society deeply divided along the lines of power and privilege—sex, race, class, sexual preference. We support struggle against all forms of oppression. As feminists, we devote our energy primarily to the struggle against sexism with the understanding that women are oppressed not only as women but also as workers, poor people, blacks and other third-world people, and homosexuals.

We then described the meanings we ascribed to the words in our name, “feminist,” “law,” and “collective.”

## **Feminist**

To us, feminist means we place primary emphasis on serving the needs of women. Throughout history, women have been beaten, branded, raped, and burned at the stake. At less violent moments, women and their needs have been ridiculed and ignored. The oppression of women has been the model, both historically and psychologically, for all forms of human exploitation. Sexism is considered acceptable because it is so commonplace. Oppression based on sex profoundly affects the lives of all women, offends all persons dedicated to equality, and fundamentally dehumanizes everyone. Oppression of lesbians is a retaliation against all women who live without men and who reject society's sex roles.

Mass media have often portrayed feminism as a one-issue movement to obtain equal access to high-paying jobs within the system. The media have ignored or misunderstood groups, such as ours, which challenge the precepts of that system. . . .

We believe in the need to build a strong feminist community and hope that by working together with other political groups and individuals we will strengthen our movement and other alternative institutions.

## **Law**

We do legal work out of a basic commitment to radical social change. We have no illusions that our work can alter the underlying inequities of our society; we realize that the laws serve the interests of those in power rather than the interests of the majority of people in this country. Yet we do believe that our legal skills can be used to expose existing forms of oppression, to provide legal assistance to persons in need of help, and to strengthen groups dedicated to combating the injustices of this society.

One of our goals is to offer quality legal services at responsible prices to all our clients—both men and women. . . . Besides working with individuals, we place high priority on assisting groups that challenge the existing power structure. We provide legal support to feminist, community, and other progressive

groups. Our emphasis on organizational work stems from a strong belief that our work should grow from the needs of the people. . . . Organizations that rely on litigation as part of an overall political strategy deserve our support.

We want to demystify the law and render legal institutions more comprehensible and more accessible to all people. We want to educate our clients—generally about the nature of the legal system and specifically about their options before serious disputes develop. We want to share our legal knowledge with individuals and community groups through classes and workshops.

## Collective

One of the goals of our collective is the formation of a radical institution in which we do not split our lives between workplace and political effort. . . . We hope that the collective will offer a model for alternatives that involve basic structural change through redistribution of control over economics and politics. We realize, of course, that merely creating a small business does not protect or separate us from a repressive system. Our goal, however, is to create our own supportive structure while fighting the oppression around us.

A collective is defined by its sharing of growth, process, and power. The issue of hierarchy is central. We chose not to impose a hierarchical structure on an effort which is feminist in philosophy. Each member shares in making decisions, solving problems, and resolving conflict. For example, the collective will decide where to allocate our resources for low-fee cases; at the same time, the collective determines the distribution of income by considering each woman's particular needs.

We also want to develop good methods for acquiring, sharing, and checking power within the collective. . . . The four attorneys are sharing their skills by training the fifth member of the collective as a legal worker.

Nan and I each worked in the law collective for about 5 years. We represented, among others, lesbian mothers threatened with losing custody of their children; lesbian and feminist organizations needing incorporation as nonprofits; lesbian and feminist publications, including one blocked from distribution in a women's prison; women facing dismissal from the military for being lesbians; women and men facing sex, race, and sexual orientation discrimination in employment; and criminal defendants, a few of whom were involved in radical social movements.

When Nan left, she became a staff attorney at the ACLU Reproductive Freedom Project in New York. Once there, she persuaded the ACLU to develop a project focusing on gay and lesbian rights, and she became its founding director. The project continues today as the ACLU Lesbian, Gay, Bisexual, and Transgender Project. Nancy took a part-time position at the Women's Legal



Defense Fund, where she developed a family law project focusing on women—straight and lesbian—losing custody of their children because, among other things, they failed to conform to gendered expectations.

Both of us wound up in academia, where we hope we are encouraging a new generation of law students to work toward a more just world.

## WILLIAM RUBENSTEIN

I arrived at law school in the early 1980s, right at the time that what we now called AIDS arrived in this country, a new and unknown disease so exclusively among gay men that it was then called Gay-Related Immune Deficiency (GRID). While scientists suspected a virus caused GRID, none had been identified and, when I started law school, no test existed to determine one's vulnerability; HIV was not identified until my 2L year, and a screening test was not available until the end of my 3L year. My law school career occurred during those blasted years when men would wake up in the morning and for the first time find thrush in their mouths or a lesion on their skin and then be dead within a matter of months.

After graduating, I started doing legal work on AIDS issues because my friends were dying and I assumed I would too. While clerking for a federal judge in Washington, I volunteered to be a "buddy" for people with AIDS. I was so clumsy at the buddy training that one of the trainers said,

"Forget it, Mary, she'll be dead by the time you change that pillowcase," and I was assigned to work on wills with the organization's one lawyer. During the day, he and a group of volunteers interviewed men, scores of them, about their dying wishes. After work, I would pick up the files, return to my apartment, and type these desires into a computerized form, dropping the completed wills into a mail slot on my way to work the following morning. I never met these men, scores of them, but I knew their most intimate longings. They left small bank accounts to their mothers, art work done by ex-lovers to new boyfriends ("Michael's oil painting of Fifi to Robert"), collections of Billie Holiday records to their church. They made specific bequests of toasters and Tallulah Bankhead portraits and jewelry boxes full of jade bracelets. And then they died, scores of them. I would watch for their names to appear in the obituaries of the gay newspaper—one by one, or some weeks in batches—hear their names read aloud at memorial services, see their names on patches of the gigantic quilt laid out on the mall. The philosopher Avishai Margalit tells the story of an army colonel who is scorned because he forgets the name of a man in his command killed by friendly fire; the story compels Margalit to investigate whether there is a moral obligation to remember the names of the dead, an ethics of memory. I knew nothing but these men's names, had no faces to match to their requests, and now I don't remember a single name—only that there were scores of them, that they were unbelievably young and beautiful, and that this was in Washington, DC in 1986.

The following year I joined the national staff of the ACLU and helped launch an AIDS project. All my clients died. The years blur. I remember



meeting my very first client, Michael Callen, on a street corner during the 1987 March on Washington so he can sign an affidavit in a lawsuit we've filed challenging the composition of Ronald Reagan's AIDS Commission and I remember leaving Michael's memorial service, some years later and in a different city, but I don't now know if it was 2 years later or 10 or if it was the twentieth or thirtieth memorial service I'd attended for a man not yet 40.

I remember bailing an ACT-UP protester out of jail in lower Manhattan so he can get home to take his drugs, but I can't now remember if it was the Wall Street Demo or the St. Patrick's Church Demo or the City Hall Demo. I only remember that the police took his belt—standard operating procedure even for the 30-minute incarceration of a political demonstrator—and he emerged from the holding pen so emaciated from AIDS or from the drugs supposedly saving his life or from both that he had to hold his pants up with one hand, impossibly bony fingers furiously clutching a huge ball of black jean. Yet out he marched, a shocking apparition, dead man walking, right through the middle of the stunned precinct's now-hushed cacophony, head up, like Mandela emerging from Robben Island. His dignity was unimaginable, a mixture of pride, bravado, protest, performance, and sheer terror. He was the era. He went home, took his drugs, and then, like all the others, a few months later, died.

I remember traveling to JFK in the middle of the night to help a client convince customs officials to release a shipment of experimental drugs, but I can't now remember if the drug was AL-721 from Israel or HPA-23 from Paris or ribavirin from Mexico or dextran sulfate from Japan. I only remember that this particular drug had to be spread and eaten, like cheese on a cracker, and my client convinced a gay priest in New Jersey to contribute a waylaid stockpile of communion wafers for the cause. But even with this unique delivery device, perched atop the body of Christ, the drug didn't work and all my clients died.

I remember that John Wallace, the most gorgeous man in my college class, tried everything, but I can no longer remember everything he tried—just the experimental penicillin shots, megadoses so painful he couldn't sit for days but which turned out to be useless; the cleansing macrobiotic diet that made his skin turn grey but which turned out to be useless; the bitter melons everybody fought so hard to secure but which turned out to be useless—and then one afternoon Lem called me at work and said come quick, no not after work, now, and I ran down 44th Street, clutching a yellow legal pad, what I could offer the dying.

This report sounds too bleak. Has memory darkened it? Or is it just too shameful to remember that I also had fun, pursued a career, fell in love in the midst of a plague? We won jury verdicts on behalf of men denied health care during their dying days, helped survivors resist eviction when their lovers died, forced Medicare to reimburse for experimental treatments, resisted draconian public health measures. There was a life-affirming intensity to it all, fighting

a plague, at least at first, until the numbness set in. Then it became rote, attendance at protests dwindled, spontaneous art collectives gave way to formal institutions with black-tie benefits at the Waldorf Astoria, and then even the memorial services felt repetitive, difficult to remember whether it was Bill's or Tom's that was held at the Ethical Culture Society, which had the Flirtations and which Bach, whose father it was that wailed unspeakably at the back of the synagogue. I don't think I dwell on the bleak because it was all bleak. I think I dwell on the bleak because I can hardly remember how it felt now, that relentless hopelessness.<sup>1</sup>

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<sup>1</sup> Mark Doty, "Lost in the Stars," 10 *SOURCE* 13, 2001.



## RAUL ESCATEL

I've never been much of a political activist, particularly when it came to gay issues. I was happy to lend support but allowed others to do the dirty work, playing the role of spectator more than participant. However, when Proposition 8 was put on the California ballot, limiting marriage between a man and a woman, I had no choice but to get involved. This personal narrative was written in the months leading to the passage of the ballot measure.

Growing up in the San Joaquin Valley, I learned that men drove trucks, played sports, and went hunting. My parents are from Mexico, and I was raised in a conservative, Catholic household. My father taught us to be "men," to be strong; emotion was never something I saw growing up, and being gay was not congruent with the "machismo" mentality of my father or the American dream of my mother. I was also raised in a conservative part of California where being gay was not something that was accepted or tolerated.

My adolescence was difficult to say the least, but I was lucky. Instead of accepting the fact I was gay, my energies were focused on doing the "right thing"—being a good son, going to college, going to law school, trying to make every aspect of my life as "perfect" as possible—hoping that in some way, my accomplishments could compensate for the fact I was gay. In retrospect I was lucky I was able to sublimate my feelings and use that energy into bettering myself, affording myself opportunities outside the San Joaquin Valley in places where I could be myself without fear of being ostracized.

I have been with my partner (also a lawyer) for over 9 years now. However, I never saw myself as a married type, dismissing the notion of marriage as something I would never be entitled to, and therefore, why worry about it. But something in me changed when I attended my first gay marriage after the California Supreme Court's decision allowing gays and lesbians to legally wed. I remember sitting there, in the grand rotunda of San Francisco's City Hall next to my partner of over 9 years and witnessing the union of two people who have been together for over 17 years, but until now, could not legally consummate their union in front of their loved ones. This experience helped me to empathize with all the gay men and women who came before me who had to hide who they were, to not be able to openly love whom they choose for fear of retribution and ostracization.

I've now come to realize that the battle over issues such as same-sex marriage, immigration, or voting rights is not a battle about the issues in and of themselves, but one of equal rights. Who am I, who are any of us to say how someone else should live their lives based on their sexual orientation or the

color of their skin. I also realize that the erosion of equality for one minority group is the erosion of equality for us all.

I am fortunate to be a gay, Latino attorney today; benefiting from the struggles of those who came before me. However, even now, I am reminded of my minority status in the legal profession. As the only openly gay, Latino attorney at the Franchise Tax Board, I am acutely aware of my minority status. I was recently asked by a Latino law student who is considering becoming a tax lawyer if I knew any other Latino tax lawyers to which I responded, "I'm it." My hope is that through my contribution to the legal profession as an out gay Latino tax lawyer, I can help motivate others to aspire to be seen for more than just for the color of their skin or who they love.



## WILLIAM E. ADAMS, JR.

As a 59-year-old man, I am lucky to have been born in a time that has permitted me to see dramatic improvements for Lesbian, Gay, Bisexual, and Transgendered (LGBT) persons. From a personal perspective, I have seen it as a person born and raised in a very rural setting who later moved to urban ones, a move similar to that made by many LGBT persons of my generation. From a career perspective, I have also seen dramatic changes in both practice and academic settings. From all of these vantage points, the visibility of LGBT persons has increased exponentially, which has, in turn, resulted in more equal treatment within and outside of the profession.

I saw no LGBT role models growing up in Southwestern Indiana, and same-sex attraction was viewed as perverse and unimaginable in anyone remotely “normal” in other respects. Going to a liberal university in the 1970s exposed me to others who identified themselves as gay for the first time. It was both liberating and comforting to actually see persons who did so without shame, particularly since there were no healthy portrayals of LGBT persons in the media and popular culture.

Although I experienced a relatively free, open existence as an undergraduate, things would change once I went to law school. As far as I knew, I was the only openly gay person in law school, even though I attended a school generally considered to be liberal. The other gay law students whom I knew strived to remain secretive about their orientation in the school setting. I outed myself in a couple of classes when the topic of homosexuality was raised in cases and those professors were supportive, although they informed me that not all of my professors would be so positive if they were to find out.

Despite the fact that I chose a career in federally funded legal services offices representing indigent persons and therefore worked with individuals of an extremely liberal, leftist ideology, I would be the first openly gay person in each of the three programs in which I worked. I was not the only LGBT person, just the first to be completely open about it. This was not at all unusual at the time. Although many liberal straight people in society at the time felt that the animus toward gays was wrong, the comfort level with an openly gay person was sometimes strained. I am pleased that my LGBT colleagues in these offices generally came out once they witnessed that no harm or ostracism was directed toward me and that I did in fact get real support from most coworkers. I also considered myself fortunate because, at that period of time, my openness would have been difficult in most law offices outside of this very liberal setting.

Coming to academia in 1989 was not unlike my legal services experience. I once again was the first faculty member at my law school to be completely



open about my sexual orientation despite the fact that there were a few LGBT persons already on the faculty, although a couple of them were still figuring that out. Again my experience was one of acceptance from my straight colleagues, and I was to be joined by my fellow LGBT colleagues not long after. Again, I don't think that my colleagues were being unduly paranoid despite being in an environment with persons who for the most part were liberal in their political ideology. It was not common at the time for faculty members to be open about their sexual identity. I still recall the discussion at the annual conference of the Association of American Law Schools (AALS), when the Gay and Lesbian Legal Issues Section (as it was then called; it was changed during my term as Chair to the Section on Sexual Orientation and Gender Identity Issues) discussed whether the AALS should add a list for gay, lesbian, and bisexual teachers. It already had a list for minority law teachers. There was some discussion as to whether the number of professors willing to have themselves so identified in the AALS directory might be so small as to seriously undercount our number and send the wrong message to closeted faculty that it was unsafe to be open. That first list was not as small as those worst fears, but certainly has been dwarfed by recent ones.

Although things have certainly improved both in practice and in academia, it is hard to ignore that I am aware of only two other openly LGBT law deans at American Bar Association–approved law schools at this time. It is rumored that the three of us have been preceded by a couple of others. It is difficult to assess why the Decanal position remains so underrepresented when there are a large number of law school faculty who are openly lesbian, gay, or bisexual. There may be full-time transgendered faculty of whom I am not aware. There are multiple possible explanations for the small number of LGBT deans, more than one of which may explain the situation. It could be possible that for some reason LGBT faculty and lawyers are less interested in these positions than heterosexual persons, but that seems unlikely. It could be that the relatively recent emergence of openly LGBT law faculty has not created a large-enough pool of candidates with the amount of experience that most schools find desirable. Because of antidiscrimination policies at nearly all universities and law schools, overt discrimination is generally banned, even at law schools that are faith-based. Nevertheless, it is arguably an awkward “fit” for a dean at some of these schools, particularly those whose affiliation is with one of the more conservative religious sects. There are a significant number of law schools at universities with religious affiliations. The number and variability of the constituencies that dean candidates must satisfy does make those positions more complicated. Although it is difficult to imagine faculties and students at today's law schools being uncomfortable with an openly LGBT dean, that may not always be true of alumni and donor constituencies, or at least with some of the older members



of those groups. Nonetheless, I hope that more LGBT faculty and lawyers will consider this position so that we are present in that senior administrative position in more law schools.

It has been gratifying to see the increased acceptance of LGBT persons in the practice of law and the academy. I understand why many of my peers felt it difficult to be open about their sexual orientation a few decades ago. Discriminatory attitudes were the norm then. I think that they are the exception now. Thus, I hope that reluctance to be honest about one's sexual orientation is not felt in today's profession as it will only get better as more of us are recognizably present.

## LEO DUNN

As my husband always comments, our role is to educate others. Usually he is saying this in reference to our involvement in social groups such as our yacht club where the old guard outnumbers the youngsters at a ratio of about four to one. But he is correct; I believe the best long-term benefit to the GLBT community is for every citizen to realize they have GLBT family, friends, and acquaintances. As part of our responsibility to educate, I mentor undergraduate and law students, both gay and straight.

When I first started working, I was being promoted about once a year until I came out to my coworkers. At that point, my career froze and I discovered Pennsylvania has no protections against discrimination based on sexual orientation. I applied to law school after working for 20 years in banking and agriculture—mostly at the Pennsylvania Department of Agriculture. I needed a change and was tired of being the “go to” person whenever an important project needed doing with minimal resources, but not being promoted due to my sexual orientation.

I could not afford to quit work for school, so I went to law school at night while continuing to work full-time. I had identified as being gay in my application and was very open about my orientation during classes. At the end of my first year, I was offered a job with a different state agency which I accepted. Ironically, my old boss tried to have the move delayed for 6 months because I was the only one who understood two signature projects of the department. Thankfully, he did not succeed.

My new job provided a better work schedule and the opportunity to work with more legal issues. I was now working in criminal justice for the Board of Probation and Parole. Three years later, I graduated from law school and was given increased duties working with our state legislature and media. Simultaneously, I opened my own part-time practice and started teaching continuing education courses at a local community college.

My law practice focuses on the estate planning needs of the GLBT community. I do no other area of law. My client base is about 60 percent GLBT and 40 percent non-GLBT. My continuing education classes focused on estate planning for nontraditional couples. This teaching experience led to being asked to teach a law school class on GLBT legal issues at Widener Law School.

During law school, I was encouraged to be active in our local bar association. I joined our county and state associations. The state association has a Gay and Lesbian Rights Committee which I joined and volunteered to man booths and other projects. Three years ago I was asked if I would become the



committee chair. After a year of figuring out the position and receiving a huge amount of support from my bar association colleagues and bar leadership, last year we started an educational project to enumerate the benefits unavailable to same-sex couples in our state due to our mini-DOMA. Our committee membership has increased, we've started a newsletter, and we are now considering other projects to support and educate other lawyers on how to best work with GLBT clients.

Becoming an attorney has been a great experience. Being a gay attorney in Pennsylvania has been especially enlightening. The Pennsylvania Bar Association has been a staunch opponent to discrimination based on sexual orientation. I have met many wonderful people through the state bar and attending the Lavender Law Conference. As an adjunct law professor, I get to mentor GLBT students on passing the bar and on navigating the legal world. Many of my former mentees and interns still keep in contact, some for more than a decade and some living in other nations. Thus, my role as a gay person in the legal profession is one of educator and mentor—and I love it!

## JEFFREY GIBSON

As a young gay law student at Pepperdine University in 1982, I was searching for some sort of professional affiliation of LGBT attorneys in Los Angeles. It took a year for me to find Lawyers for Human Rights (LHR) in Los Angeles. When I did eventually find them, they advised me that they had sent information on the organization to Pepperdine for its student bulletin board, but the University sent it back refusing to post it, saying it was inconsistent with their values. It left me feeling completely alienated from my University. I met some wonderful friends, was introduced to LGBT politics, and secured my first significant legal job through LHR. It also introduced me to the organized bar which I continued to participate in for the next 25 years, including serving as chair of IR&R's LGBT committee, as LGBT Bar Association's Delegate to the ABA, and as the initial Chair of ABA SOGI Commission. The personal rewards cannot be quantified.

Years later at a law school reunion dinner (my best friend from law school cajoled me into finally attending one), my then domestic partner and I were introduced to then Law School Dean Ken Starr (fresh from Clintongate). As he went around our table shaking hands he asked what year my best friend had graduated, then what year I had graduated, then my partner, who shook his hand and said "I wasn't a student, I'm his husband." Everyone at the table smiled, the Dean, looking like a deer in the headlights, just moved on shaking hands.

The world has changed so wonderfully on our issues over my 25 years in the profession. The ABA itself has grown significantly on our issues. In the 1980s, the House of Delegates voted down the admission of the LGBT Bar Association (formerly NLGLA) as a voting member of the ABA. Not until 1992 was it admitted as a member. That seat remains both an important voice of LGBT attorneys in the ABA, but also a beautiful reminder of how far we have come.



## AMELIA KRAMER

Lesbian. Lawyer. How do these “L” words together describe me?

I realized I was a lesbian at the age of 6 when I had my first crush on a girl. It was my secret for many years. I told no one. But, the burden of keeping the secret was heavy. So, during my senior year of college I decided to come out of the closet, be true to myself, even if I were to suffer ostracism and discrimination, because letting others do that to me was better than doing it to myself. Once I came out, I realized I wanted to become a lawyer. It was the best way I could think of to promote justice and fairness, for myself and for others.

During law school in the mid-1980s, I studied gay and lesbian legal issues. At that time, there were no classes offered on this subject; so, I did it on my own time. I read every case I could find on the topic. The decisions in these cases generally were depressing, illogical, and wrongly decided. Gay people could be fired from jobs, dishonorably discharged from the military, deprived of child custody, denied marriage licenses, and prevented from visiting our loved ones in the hospital, just because of our sexual orientation. Along with my copresident of the Gay and Lesbian Law Students Association, I sought to create a *Gay Rights Law Journal*, but no faculty member would agree to serve as our advisor.

I wanted to work for the FBI, so I signed up for an on-campus interview. But the recruiter told me that the FBI didn't hire lesbians. He said the rationale was that we could be blackmailed through threat of exposure. I noted that I already was out of the closet, so blackmail would be impossible. The recruiter had no response, but my application was rejected nonetheless. I later found it ironic to be in a study group preparing for the bar exam with a closeted lesbian who had been offered a position with the FBI.

My third year of law school, I signed up for a moot court competition. It was 1986, and *Bowers v. Hardwick* (addressing the constitutionality of statutes criminalizing sodomy), which then was pending before the US Supreme Court, was selected as our moot court case. I was assigned to brief the case on behalf of the government. I begged to switch sides because I didn't want to argue in favor of the discriminatory law. It was a relief when I was permitted to swap with another student. Nevertheless, during the oral argument portion of the competition, I was required to argue one round “off brief,” meaning for the government. It was painful for me. Afterwards, the panel applauded my argument, which surprised me because all I had done was to repeat the mantra “traditional values” and pound the podium with my fist. This could be distinguished from the gay rights argument, which was grounded in constitutional law and logical analysis. When I disclosed to the judges that I was a lesbian after they had



applauded my homophobic argument, their jaws dropped. That was a moment of epiphany. I realized that, despite their best efforts, judges might not be able to rule fairly if their personal biases were too deeply ingrained. I realized, too, that making an argument in court is not the only way for a lawyer to persuade people to do the right thing. Work could be done outside the courtroom in the legal community, just by letting people get to know me as a person.

My career began at large, private law firms in Washington, DC and San Francisco where I handled first amendment litigation and complex commercial litigation, as well as pro bono work for prisoners, refugees and people with AIDS, and got involved in bar activities. I found the pro bono work more fulfilling than the paid work, so I left the well-compensated world of Big Law to work for Lambda Legal Defense and Education Fund. The pay was low, and the office resources were minimal, but what a wonderful job! I litigated test cases, spoke out in a variety of forums, and helped shape the education and litigation strategy to achieve recognition by the courts of equal rights for LGBT people and people with HIV/AIDS. I had the privilege of working with luminaries in the field, including Evan Wolfson, Jon Davidson, and Kevin Cathcart. I later continued that work as Executive Director of Gay & Lesbian Advocates & Defenders in Boston where I had the privilege of working with Mary Bonauto and Ben Klein, two more luminaries.

While at Lambda I worked on cases involving gays and lesbians in the military and other cases involving discrimination based on sexual orientation or gender identity and expression in the contexts of employment, housing, and public accommodations. At GLAD, I worked to form Freedom To Marry Task Forces in all six New England states and joined Evan Wolfson in establishing the National Freedom to Marry Task Force. I was fortunate to have a hand in the same-sex marriage cases in Hawaii and Vermont and the strategy to seek marriage equality later in Massachusetts and then other states.

I left GLAD to return to my home state of Arizona to be close to my parents after my father had several strokes. Arizona, being at least a decade behind the times when it comes to recognition of LGBT civil rights, was not a place I could work in that field full-time. So, I went back to private practice with a large firm. I did civil rights work on the side with nonprofit groups, as well as some public speaking on the subject. I volunteered to establish the Tucson Mayor's Task Force on Gay and Lesbian Issues and became founding cochair of the City of Tucson Commission on LGBT Issues. I also cochaired the Arizona Human Rights Fund, later renamed Equality Arizona. I spoke several times at the University of Arizona's College of the Law and elsewhere and published articles on the topic of same-sex marriage and other LGBT civil rights issues.

I left private practice for the public sector after my wife and I started a family, intent upon reducing the number of hours I worked per week so that I could



be home for dinner and on weekends and holidays. The concomitant reduction in compensation was difficult at first, but worth it. I love being a public lawyer, serving the community. I am pleased to have received an award from the FBI for my public service in the prosecution arena. It is a nice irony.

Throughout my career, I have always been involved in bar activities, most recently with State Bar of Arizona, the Women Lawyers Association, the Minority Bar Association, and the local Inn of Court. It is my honor to serve as president of the Morris K. Udall Inn of Court and as State Bar President. I am pleased to report that my status as the first openly lesbian president of the State Bar of Arizona has not been used to describe me so much as my status as the first public lawyer to achieve the position. It means we are making progress.

## MATT NOSANCHUK

This essay is adapted from a speech given by the author at the ABA Stonewall Award Reception at the 2013 ABA Midyear Meeting in Dallas Texas.

Thank you. I am honored to be standing before you today as one of the inaugural recipients of the ABA Stonewall Award. And I am truly humbled to be sharing this honor with Mary Bonauto and Mia Yamamoto, who both have contributed so much to furthering LGBT equality throughout their careers, making possible the breathtaking changes that have occurred.

Senator Edward Kennedy famously said, “civil rights remains the unfinished business of America.” My part in that project has been a cornerstone of my career and life’s journey.

For the movement and for me, that journey has had its share of twists and turns. I started working on behalf of LGBT civil rights at a very different time in my life and in the efforts to achieve equality. It was 1991, and I was fresh off my clerkship, working as a Skadden Fellow on the Illinois ACLU’s AIDS and Civil Liberties and Gay and Lesbian Rights Projects. Back then, civil rights attorneys working on these issues were almost always on defense, working to stop bad things from happening: suing the Public Health Service for terminating an HIV-infected dentist, stopping a family court judge in a tiny southern Illinois town from stripping visitation rights from an HIV-infected, closeted dad, and suing the Boy Scouts for terminating a gay Scoutmaster. Some things haven’t changed.

An outstanding lawyer—John Hammell—headed the ACLU’s Projects in Chicago, and because of the stigma surrounding HIV that existed at the time, he did not divulge his own HIV status—even to those of us who worked with him—until his own health started to decline.

For me, this work was another challenging opportunity to defend civil rights at a time when HIV-infected individuals were subjected to discrimination in the name of protecting public health.

So much has changed. In the struggle for LGBT civil rights, developments have been nothing short of breathtaking. Back in 1991, the *Chicago Sun-Times* published a letter to the editor I had written observing that when one of America’s most prominent African-American athletes, Magic Johnson, disclosed his HIV status, his announcement served as a tipping point in removing the stigma around HIV/AIDS. Twenty-two years later, *Newsweek* featured America’s African-American President on its cover with a rainbow-colored halo and the headline, “The First Gay President,” after he declared his support for marriage equality—a tipping point that increased



public support for this cause and contributed to its historic adoption in three states by popular vote.

Personally, I am at a different place on this journey. My own coming out in my late thirties fused my commitment to advocating for equality with my identity.

If you had told me, back in 1991, that I would be standing at an ABA reception in Dallas in 2013 accepting the Stonewall Award as an openly gay lawyer, working for the President who declared, in his second inaugural address, that “the most evident of truths—that all of us are created equal—is the star that guides us still; just as it guided our forebears through Seneca Falls, and Selma, and Stonewall,” I would have responded, “wow, you have a dream.”

This dream has become a reality—now we are on the offensive making good things happen—and it has been a privilege to play some part in the journey that led to this recognition, but I certainly haven’t traveled alone on this journey. I have been fortunate to have had support from outstanding colleagues and mentors, family, and friends.

There are my LGBT colleagues throughout the administration, like the members of the Civil Rights Division’s LGBTI Working Group, who have worked tirelessly so that we can make good things happen by ensuring that we are, to paraphrase the first openly gay US Senator, Tammy Baldwin, “in the room and not on the menu”;

- Allies in the administration—including Attorney General Eric Holder, Assistant Attorney General for Civil Rights Tom Perez, and, of course, President Obama—and tireless allies on the outside like Judy and Dennis Shepard;
- Courageous trailblazers like Frank Kameny, whose last public appearance was at a Pride event at the very Justice Department that played a role in persecuting him 50 years ago. As President Obama said, it is “our generation’s task to carry on what those pioneers began”;
- On a more personal note, those who have supported me throughout my life’s journey, including
  - My parents, stepmother, aunt, and uncle;
  - My thoroughly “modern” family, which includes my son, who is now 15, and who asked me when I came out to him—he was 7 at the time—if I had a boyfriend. At the time I did not. Without missing a beat, he said that when I do, my boyfriend needs to be “really cool and good at sports”;
  - My boyfriend and partner of close to 8 years, who is really cool and good at sports; and
  - Seth’s mom and her parents, who committed to supporting our redefined family after I came out.

Receiving the Stonewall Award represents a memorable stop on my and this movement's unfinished journey. As I reflect on my own path and career, Robert Frost's famous lines come to mind:

*Two roads diverged in a wood, and I,  
I took the one less traveled by,  
And that has made all the difference.*

Thank you.





# About the Contributors

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## **William Adams**

William Adams serves as Dean and Vice-chancellor for Western State. Dean and Vice-chancellor Adams brings to Western State a diverse background of creating and administering community clinical and legal services programs, as well as extensive academic experience, both as an administrator and as a professor. Prior to joining Western State, Adams served as a professor of law and Associate Dean for international, online, and graduate programs at the Shepard Broad Law Center at Nova Southeastern University (NSU). While at NSU, he held additional positions to include as Acting Dean, Director of the Law Center's Civil Clinic, and Director of Clinical Programs.

Prior to his time at NSU, Professor Adams held the position of Elderly Projects Director at the Center for Governmental Responsibility at the Holland Law Center at the University of Florida. Adams was also a legal services corporation attorney representing indigent persons for approximately 9 years in Indiana and Florida. In addition to experience as a law professor, Adams has chaired the Association of American Law Schools' Section on Sexual Orientation and Gender Identity Issues as well as its Section on Aging and the Law. He is also a prior chair of the Florida Bar's Public Interest Law Section. The National Lesbian and Gay Law Association presented its Dan Bradley Award for significant contributions made to lesbian and gay rights to Dean Adams in 1994. Dean Adams received his bachelor's degree and his JD, cum laude, from Indiana University.

## **Beth Allen**

Beth Allen is a judge in the Multnomah County Circuit Court in Oregon. She was appointed by Governor John Kitzhaber on January 17, 2013. Judge Allen is a veteran of the United States Army. She graduated from Willamette University College of Law in 1996. She clerked for Chief Judge Mary Deits from 1996 through 1998, and then worked at the Tonkon Torp and Lane Powell law firms. Judge Allen opened her own law firm in January 2006, where she developed a specialized practice dealing with family law and related issues impacting the LGBT community. She also has experience in a wide area of civil law, including employment and accommodation law, estate planning, and general business law.



Judge Allen has been an adjunct professor at Lewis & Clark College of Law teaching the sexual orientation and gender identity seminar. Judge Allen has received numerous awards for her advocacy in diversity and access to justice issues, including the Oregon Gay and Lesbian Law Association's Special Merit Award and her favorite the Superhero Award from Basic Rights Oregon. Judge Allen has served in many volunteer roles, including on the Board of Directors of the Q Center and with the Multnomah Bar Association High School Dropout Prevention and Tell It to a Judge programs. Judge Allen is currently serving on the Queen's Bench Board, and is on the Judicial Conduct Committee of the Judicial Conference. Judge Allen is the author of "The Demise of DOMA? What's New and What's Not in Juvenile and Family Law," *Juvenile & Family Court Journal*, Vol. 65, Issue 1 (2014) and "Same-Sex Marriage: A Conflict of Laws Analysis for Oregon," *Willamette Law Review*, Vol. 32, Number 3 (1996).

### **Amelia Craig Cramer**

Amelia Craig Cramer is past President of the State Bar of Arizona and is employed as the Chief Deputy Pima County Attorney in Tucson, Arizona. She graduated from Stanford Law School.

Prior to entering public practice, Ms. Cramer was a commercial litigator at large, private law firms in Washington, DC, San Francisco, and Tucson. Ms. Cramer also has taught law school, served as a judge pro tem, and was Managing Attorney for the Western Regional Office of Lambda Legal Defense and Education Fund in Los Angeles, as well as Executive Director for Gay & Lesbian Advocates & Defenders in Boston. She has received numerous awards for her LGBT civil rights work and her legal work.

### **Judge John S. Arrowood**

Former Judge John S. Arrowood was born on November 4, 1956, in Burnsville, North Carolina. In 1979, he earned a bachelor of arts, magna cum laude, from Catawba College. At graduation, he was presented the Whitener Award, which is awarded to the man and woman in the senior class who best embodies the College's commitment to good character, leadership, and scholarship. In 1982, he received his juris doctor from the University of North Carolina at Chapel Hill. After law school, he served as a clerk for Judge Gerald Arnold at the North Carolina Court of Appeals, and was a staff attorney and head of the central staff for the Court. He initially joined James, McElroy & Diehl P.A. in 1989, and for the next 18 years, prior to his appointment to the bench, his practice involved mainly complex commercial litigation in federal and state courts.

In 2007, Arrowood was appointed as a Special Superior Court Judge, and in September 2007, Governor Micheal F. Easley appointed him to the North



Carolina Court of Appeals. When he was sworn in September of 2007, Judge Arrowood became the first openly LGBT person to hold a statewide office in North Carolina. During his judicial career, he authored opinions, dissents, and concurrences in over 100 cases. In Superior Court, he conducted hearings and trials involving a wide range of civil and criminal matters.

When his term was completed in January 2009, he returned to practice with James, McElroy & Diehl, P.A. Currently, he is admitted to practice before the North Carolina State Courts and all of the federal district courts of North Carolina, the Fourth Circuit Court of Appeals, and the United States Supreme Court. He is a member of the American Bar Association and the North Carolina Bar Association. In 1989, he was awarded the Outstanding Young Lawyer Award for the Young Lawyers Division of the North Carolina Bar Association.

Former Judge Arrowood has served as a member of the North Carolina Banking Commission, the North Carolina Rules Review Commission, the North Carolina Arts Council, the North Carolina Election Law Review Commission, the North Carolina Attorney General's Advisory Commission on Statutes and as a member of the Board of Directors of the North Carolina Railroad Company.

He has also served on the Board of Trustees of the Mint Museum of Art and the Charlotte Center for Urban Ministries. He is an active member of St. Peter's Episcopal Church having served on the Vestry and currently chairs the Outreach Commission's Grant Committee.

He has been active in Democratic politics, including serving as a delegate to the 1996, 2000, and 2004 Democratic National Conventions. He has served on the Board of Equality North Carolina and as Chair of its PAC. He currently serves as the Vice-chair of the Board of Directors of the Gay and Lesbian Victory Institute.

## **George Bach**

George Bach is an Assistant Professor of Law at the University of New Mexico School of Law in Albuquerque, New Mexico. He teaches constitutional law, federal jurisdiction, evidence, employment law, comparative and historical legal perspectives, and clinic. He also supervises the Externship Program.

A former President of the New Mexico Lesbian and Gay Lawyers Association, George was honored with a Santa Fe Human Rights Alliance "Treasure" Award in 2007 for his work in the LGBT community. In 2009, then US Representative Martin Heinrich appointed him to the New Mexico State Advisory Committee to the US Commission on Civil Rights, a committee on which he continues to serve. George also serves as a volunteer Colegal Director of the American Civil Liberties Union of New Mexico.



During and after law school, George worked for attorney K. Lee Peifer, litigating in civil rights, union-side labor law, and employee-side employment law. In 2005, George joined the American Civil Liberties Union of New Mexico as its first staff attorney, where he litigated a wide variety of civil rights cases in state and federal courts. In 2009, George teamed up with Matthew L. Garcia and formed Bach & Garcia LLC. He began teaching at the law school in 2010, and joined the faculty in 2012.

Last year, he was presented with the “Mr. Holland’s Dopest” professor award by the graduating class.

## **Larry Best**

Larry is a trial lawyer licensed in Texas and Louisiana with offices in New Orleans. He has a BS degree in accounting from the University of New Orleans and a JD from Tulane University School of Law. Although he now represents injured maritime workers, he previously represented Fortune 500 marine and energy companies and their insurers in the defense of such claims. He was named to Louisiana Super Lawyers and to The Top 100 Trial Lawyers in 2012. His professional credentials are available in more detail online at [www.LaurenceBest.com](http://www.LaurenceBest.com).

He and his husband Kory Chatelain, his partner of 23 years, have lived in Hattiesburg, Mississippi, for the last 5 years. He has three grown children and five grandchildren from a previous marriage.

Larry Best has been a member of the Human Rights Campaign (HRC) since 1992 and has been a Major Donor for the last several years. He is a consistent financial supporter of the New Orleans HRC Steering Committee (HRC-NOLA SC), and buys a table to the dinner every year. He was the HRC Equality Award winner in 2001.

He has also been an active member and major contributor of the Louisiana Forum for Equality since 1991. He received the Acclaim Award from them in 2002.

He is in the process of retiring from his legal practice and hopes to invest more time in HRC activities in Mississippi. Since 1991, when he came out at age 42, he has devoted himself to LGBT visibility and acceptance.

Larry has been instrumental in introducing HRCNOLA SC members to the Hattiesburg community as we have done some outreach there. He has succeeded in energizing the local LGBT community and straight allies in accomplishing the goals of HRC in Mississippi.

## **Garry I. Bevel, Esq.**

Garry I. Bevel, Esq., is Jacksonville’s, Florida, children’s ombudsperson, working to increase the voice and participation of all children and youth, and to fulfill the rights of children as delineated in the UN Convention on the Rights of the Child. Previously, Garry was the Director of the American Bar

Association's (ABA) Commission on Youth at Risk and Assistant Staff Director for the ABA's Opening Doors for LGBTQ Youth in Foster Care project, which provides training, technical assistance, tools, and resources to the legal and social services community to successfully advocate for and represent LGBTQ youth in foster care. Garry also served as the Deputy Diversity Officer for the Washington, DC, office of the ABA.

Prior to joining the ABA, Garry was a prosecutor with the Miami-Dade State Attorney's Office and spent 3 years as a litigation attorney for the Florida Guardian Ad Litem program, representing children's best interests in abuse and neglect cases. During that time, he founded an LGBT Safe Zone for LGBTQ youth and the child-serving professionals who work with them. Also in Miami, Garry was a board member of YES Institute, a nonprofit organization whose mission is to prevent suicide through powerful communication and education on gender and orientation, and he facilitated conversations with change members in the community. Garry also served on the board of Unity on the Bay (UOTB), a faith community in downtown Miami. During that time, Garry cofounded *OUT on the Bay*, UOTB's LGBTQ affinity and ministry group.

Garry is currently President-Elect and serves on the board of PFLAG of Jacksonville, participates on the advisory board of The Equity Project (an initiative to ensure that LGBT youth in juvenile delinquency courts are treated with dignity, respect, and fairness), and serves as a trainer and advisor for HRC's All Children–All Families initiative (which promotes LGBT cultural competency among child welfare agencies).

In 2010, Garry was named one of the Best LGBT Lawyers under 40 by the National LGBT Bar Association. Garry earned a BA from Florida State University and JD from the University of North Carolina at Chapel Hill School of Law. In his spare time he enjoys a good game of monopoly, boot camp classes, and yoga.

## **Mary L. Bonauto**

Mary L. Bonauto has been the Civil Rights Project Director at Gay & Lesbian Advocates & Defenders since 1990. She has litigated in the state and federal courts of New England on discrimination issues, parental rights, free speech and religious liberty, and relationship recognition.

Mary and two Vermont co-counsel won a 1999 ruling in *Baker v. State of Vermont* which led to the nation's first civil union law. She was lead counsel in the groundbreaking case *Goodridge v. Department of Public Health*, which made Massachusetts the first state where same-sex couples could legally marry in 2004. Mary also co-counseled in *Kerrigan v. Department of Public Health*, in which the Connecticut Supreme Court also ruled for marriage, advocated in state legislatures for marriage, and served on the Executive Committee of the



2009 and 2012 Maine ballot campaigns. She led GLAD's federal court challenges to DOMA in Gill and Pedersen, leading to the first District Court and Court of Appeals victories against DOMA, and then coordinated amici briefs for the Windsor case at the Supreme Court.

On April 28, 2015 Mary was one of three attorneys who argued before the U.S. Supreme Court in *Obergefell v. Hodges* arguing state bans on same-sex marriage to be unconstitutional. This much-publicized case determined that state bans against same-sex marriage are unconstitutional and is considered one of the most important civil rights cases which came before the U.S. Supreme Court in modern history.

Mary's work has been recognized with numerous awards, including the 2014 MacArthur Fellowship and the National LGBT Bar Association's 2015 Dan Bradley Award. She is the Shikes Fellow in Civil Liberties and Civil Rights and Lecturer on Law at Harvard Law School, and has also served as co-chair of the Sexual Orientation and Gender Identity Committee of the American Bar Association's Section on Individual Rights and Responsibilities.

Mary graduated from Hamilton College and Northeastern University School of Law.

## **Angela M. Bradstreet**

Angela M. Bradstreet is a judge in the Superior Court for the City and County of San Francisco. Before her appointment to the Court in September 2010, she served as the State Labor Commissioner.

With 25 years' experience in commercial and employment litigation at a major local law firm, Judge Bradstreet was selected as one of the top 75 female litigators in California in 2005. Ms. Bradstreet is a former President of the Bar Association of San Francisco, California Women Lawyers, and the Queen's Bench Bar Association and is the creator of the No Glass Ceiling Initiative that has been endorsed by over 90 law firms and corporate legal departments. She is a recipient of the California State Bar's Diversity Award, the Minority Bar Coalition's Unity Award, and the Anti-Defamation League's Jurisprudence Award. She is also the recipient of the Margaret Brent Award, the highest award given by the American Bar Association in recognition of accomplishments of women lawyers who have excelled in their field and been leaders in advancing women in the legal profession.

## **Barbara S. Bryant**

Barbara grew up in Berkeley, California, and has lived there her entire life, except for 4 years in the 1970s when she lived in Sacramento, California, while getting her masters in social work.

After law school, Barbara was a federal law clerk and then a Legal Services Attorney. She spent the next 17 years as a plaintiff-side litigator, focusing primarily on individual and class-action cases in the areas of employment, sexual harassment, and discrimination, first at a small, well-known employment litigation firm and then at her own law firm.

For the last 14 years, she has been a full-time ADR neutral as a mediator, workplace investigator, and discovery referee. Barbara also provided these services part-time during the last 6 years when she was litigating. Beginning this year, her ADR practice focuses exclusively on mediations.

Barbara has taught the Sexual Harassment Law course (now Sexual and Gender Harassment Law) at the University of California, Berkeley Law (Boalt Hall) since 1989. She served in this capacity as an Adjunct Professor until 2008, at which time she was promoted to regular faculty as a Lecturer.

Barbara was an Adjunct Professor at John F. Kennedy University School of Law in Walnut Creek, California, teaching Wrongful Termination, from 1988 to 1991.

## **Kunoor Chopra, VP Strategic Accounts**

Kunoor works closely with Elevate's strategic accounts to identify and implement solutions, and to ensure continuous improvement throughout the life cycle of the relationship.

Previously Kunoor was the Founder, President, and CEO of LawScribe, a pioneer legal process outsourcing company providing litigation, corporate, and intellectual property support services to law firms and corporations. Kunoor founded LawScribe in 2004 to provide a solution to rising costs and fees associated with the legal practice. LawScribe was acquired in 2010 by UnitedLex, where Kunoor continued as Senior Vice President of Global Legal Services, working closely with her AmLaw100 and Global 1,000 clients to identify and implement legal solutions. Kunoor is a recognized authority in the area of legal process outsourcing, and she speaks internationally on topics including the ethical implications of outsourcing and legal innovation. She serves on the Board of Governors for the Organization of Legal Professionals as well as the Board of Directors for the Library Foundation of Los Angeles. Prior to LawScribe, Kunoor practiced as an attorney at Nossaman and at Fulbright & Jaworski in Los Angeles.

## **Kinna Crocker**

Kinna Crocker is a nationally recognized attorney with 10 years of experience in the courtroom and a proven track record as an effective advocate, mediator, and litigator. At Crocker Law, Kinna provides cutting-edge legal



services to individuals and couples in family law matters, including adoption proceedings, marriage and domestic partnership divorce proceedings, child custody matters, child support and spousal support applications, and parentage actions.

Ms. Crocker is the founder and current chair of the LGBT Law Section of the Sonoma County Bar Association (SCBA), a member of the Mental Health Liaison Committee of the Family Law Section of the SCBA and a member of Sonoma County Women in Law. Kinna was also a former member of the State Bar of California Council on Access and Fairness, previously the Committee on Sexual Orientation and Gender Identity Discrimination. Kinna also participates in a “think tank” case study group of attorneys and tax professionals that examines the complex interaction between California and federal tax, estate, and family law issues. She is a regular presenter at legal seminars and local community events regarding recent changes in laws affecting couples and individuals, and is frequently featured as a guest speaker on OutBeat Radio News in Sonoma County. Kinna has lectured extensively on, and is considered a leading expert regarding, the legal effects and implications of the 2013 landmark United States Supreme Court decisions *United States v. Windsor* and *Hollingsworth v. Perry*.

Kinna is a 2002 graduate of the University of San Francisco School of Law (USF Law), where she was recognized as a Public Interest Law Scholar. During her third year at USF Law, Kinna interned for Human Rights Advocates and lobbied international delegates regarding human rights violations at the United Nations in Geneva, Switzerland. Kinna received her bachelor of arts degree in psychology and English, cum laude, from Vanderbilt University in Nashville, Tennessee.

Ms. Crocker was named one of the Best LGBT Lawyers under 40, Class of 2013, by the National LGBT Bar Association. She was also recognized for leadership and excellence in her field as the recipient of the Sacramento County Bar Association Unity Award.

## **Linda Diaz**

Linda Diaz, Esq., is a graduate of CUNY Law School at Queens College. Upon graduation, she clerked at the United States Second Circuit Court of Appeals, both in the Motions Office and the Pro Se Office. At the conclusion of her clerkship, she joined Lawyers for Children Inc., where she is a Senior Staff Attorney and Director of the LFC’s LGBTQ project. LFC is a nonprofit law firm dedicated to protecting the rights of individual children in foster care and compelling system-wide child welfare reform in New York. The LGBTQ project provides direct representation to LGBTQ youth in their family court

proceedings and engages in policy reform to insure that LGBTQ youth in foster care receive LGBT affirming care.

Ms. Diaz is a stakeholder participant in a number of committees that seek to reform child welfare practices in New York City. She is a stakeholder participant on the New York City Family Court Advisory Council to the Administrative Judge Edwina Richardson Mendelssohn, Committee for Lesbian, Gay, Bisexual & Transgender Matters. Ms. Diaz regularly presents LGBTQ Best Practice Panels on a variety of topics and has testified before the New York City Council Committee on Youth Services Commission on the topic of LGBTQ Runaway and Homeless Youth.

### **Leo L. Dunn, Esq.**

Leo L. Dunn, Esq., focuses his practice of law on estate planning and elder care issues with particular emphasis on the GLBT community. Leo works full-time at the Pennsylvania Board of Probation and Parole as the Assistant Director for Policy, Legislative Affairs and Communications; has an active law practice; teaches at Widener University School of Law; and chairs the Gay & Lesbian Rights Committee of the Pennsylvania Bar Association. Leo grew up on the family dairy farm in Potter County (northern Pennsylvania), graduating from Northern Potter High School in Ulysses, Pennsylvania. He and his husband live in Harrisburg, Pennsylvania.

Leo has 24 years of state service working at the Department of Agriculture and the Board of Probation and Parole. He has also worked as a bank loan officer and restaurant manager. Attorney Dunn graduated cum laude from Widener University School of Law at age 43. He holds three baccalaureate degrees from Pennsylvania State University.

### **Mary C. Ellison, Esq.**

Mary C. Ellison, Esq., currently serves as a public engagement officer for the US Department of State Office to Monitor and Combat Trafficking in Persons. Mary previously served as the Director of Policy for Polaris Project (Washington, DC), as a staff attorney for The Advocates for Human Rights (Minneapolis, Minnesota), and as a judicial law clerk for a state district court judge. She has contributed to building a national legislative coalition of more than 300 members, the passage of more than 40 state antitrafficking laws, a uniform state statute on human trafficking, the passage of an antidomestic violence law in a Central Asian country, and amendments to the antidomestic violence laws of several Central and Eastern European countries. She is a published poet and author of book chapters, articles, oral histories, poems, and essays. She earned a JD from William Mitchell College of Law (St. Paul, Minnesota), a masters of creative



writing from Colorado State University (Fort Collins, Colorado), and a BA from St. Olaf College (Northfield, Minnesota). Her parents have become LGBT allies and activists in their church and community. She and her partner of 13 years are married and live in Washington, DC, where same-sex marriage is legal.

## **Demographic Statement**

I am an able-bodied Caucasian woman of Norwegian, Scottish, Irish, and English ancestry who grew up in Menomonie, Wisconsin, a town of about 13,000 inhabitants during my years there. I speak and read Spanish. I came out as a lesbian at age 17 in 1985.

## **Raul Escatel**

Raul Escatel has served as Tax Counsel since 2004 at the California Franchise Tax Board, which collects state income and corporate taxes for the state of California. He represents the state in administrative proceedings and related litigation. Mr. Escatel specializes in tax fraud and the taxation of real estate transactions. He has successfully advocated on behalf of his agency in numerous cases involving fraud and the evasion of tax.

Apart from his interest in tax law, Mr. Escatel has a long-standing interest in child welfare issues. In 2006, he was appointed by former California Supreme Court Chief Justice Ronald George to California's Blue Ribbon Commission on Children in Foster Care. And before joining the Franchise Tax Board, he was staff attorney at Sacramento Child Advocates, where he represented minors in juvenile dependency proceedings.

Mr. Escatel is currently the Vice Chair of Finance for the San Francisco chapter of La Raza Lawyers, a nonprofit organization that supports Chicano and Latino Lawyers and law students in the San Francisco Bay Area.

Mr. Escatel holds an LLM in taxation from Boston University and a JD from University of the Pacific McGeorge School of Law. He attended California State University, Stanislaus, where he received a dual degree in psychology/criminology.

Mr. Escatel currently lives with his partner of 11 years in Piedmont, California.

## **Thomas M. Fitzpatrick**

Thomas M. Fitzpatrick is a graduate of the University of Montana (1973) and the University of Chicago Law School (1976). He is a former partner in the firm of Karr, Tuttle, Campbell (1978–1989) and Stafford Frey Cooper (1989–1999); managing partner of Stafford, Frey, Cooper (1991–1994). From 1999 through 2004, he served as Assistant Chief of the Snohomish County Prosecuting

Attorney's Office, Civil Division, heading the Litigation and Employment unit. He was named a "Super Lawyer" by the publication *Washington Law and Politics* in 2004. In 2005, the elected Snohomish County Executive selected him as Executive Director of Snohomish County with oversight responsibility for planning and development, economic development, environmental policy, the airport, risk management, and several other county offices. In 2006, he returned to private practice, joining former Washington Supreme Court Justice Phil Talmadge with whom he previously practiced, at the Talmadge/Fitzpatrick firm. His practice has an emphasis in professional responsibility, attorney fees, and litigation. Mr. Fitzpatrick has extensive bar association experience, including service on the Board of Governors of the American Bar Association (1998–2001) and the ABA House of Delegates (1989–2014).

Mr. Fitzpatrick served two terms on the ABA Standing Committee on Professional Discipline and one term as a member of the ABA Standing Committee on Ethics (2001–2004) and one term on the ABA Lawyer Professional Responsibility Committee. He served on the committee which wrote the Model Rules of Judicial Discipline and the Joint Commission which rewrote the Model Code of Judicial Conduct adopted by the ABA in 2007, and as a Washington Supreme Court representative on the Washington State Task Force Evaluating the Washington CJC, which recommended a new Washington CJC that the Washington Supreme Court adopted in January 2011. He served for 6 years as chair of the Policy Implementation Committee of the ABA Center for Professional Responsibility. He is an adjunct professor at Seattle University School of Law teaching professional responsibility.

## **Phyllis Randolph Frye**

Phyllis Randolph Frye is an Eagle Scout, a former member of the Texas A&M Corps of Cadets, a US Army veteran (1LT-RA 1970-72), a licensed engineer, a licensed attorney, a father, a grandmother, and a lesbian wife. She is the first, out, transgender judge in the nation.

Now having lived almost 60 percent of her life as the woman she always felt herself to be, Phyllis remains on the cutting edge of LGBTI and especially transgender legal and political issues. When the "gay" community was still ignoring or marginalizing the transgender community in the early 1990s, Phyllis began the national transgender legal and political movement (thus, she is known as being the TG movement's "Grandmother") with the six annual transgender law conferences (ICTLEP) and their grassroots training.

Attorney Frye is one of the Task Force's 1995 "Creator of Change" award winners. In 1999 she was given the International Foundation for Gender Education's "Virginia Prince Lifetime Achievement" award. In 2001 she was given the



National LGBT Bar Association's (aka Lavender Law's) highest honor, the "Dan Bradley Award." She was honored beginning in 2009 by Texas A&M University with an annual "Advocacy Award" given in her name. In 2013 the Houston Transgender Unity Committee gave her its "Lifetime Achievement Award."

In 2010 Phyllis was sworn in as the first, out, transgender judge in the nation, as a City of Houston Associate Municipal Judge. She retains her senior partnership with Frye, Oaks and Benavidez, PLLC, (at [www.liberatinglaw.com](http://www.liberatinglaw.com)) which is an out LGBTI-*and-straight-allies* law firm. While the members of the firm practice law in a variety of areas, Phyllis devotes her practice *exclusively* to taking transgender clients—both adults and minors—through the Texas courts to change the clients' names and genders on their legal documents.

## **Margarita Guidos**

Margarita is a staff attorney for the Immigrant Protection Unit (IPU), with a specific focus on deferred action and removal defense. As part of her role in the IPU, she teaches community outreach workshops on immigration law for underserved communities. Before joining NYLAG, she worked in English as a second language and adult education with a distance learning company and volunteered with low-income schoolchildren. Margarita earned her bachelor's degree from the University of Chicago and her juris doctorate from the Benjamin N. Cardozo School of Law.

## **André A. Hakes, Esq.**

André A. Hakes is a partner at the law firm of Tucker Griffin Barnes, located in Charlottesville, Virginia. A Double-Hoo graduate of the University of Virginia (CLAS 1993, LAW 1996), Ms. Hakes is a trial attorney, handling criminal defense and civil litigation cases in Charlottesville and the surrounding area.

## **Malcolm "Skip" Harsch**

Skip currently works at the American Bar Association where he is the Director of the ABA's Commission on Sexual Orientation and Gender Identity. As director of the Commission, Skip oversees and is involved in the planning and implementation of many of the ABA's LGBT initiatives, including LGBT advocacy, ABA policy work, and legal educational programming. Prior to joining the ABA team, Skip spent the better part of 4 years practicing LGBT family law in Chicago.

Skip is a native of Illinois with strong ties to the Midwest. He received his bachelor of science from the University of Iowa and his JD from DePaul University College of Law. While at DePaul, Skip began his association and nonprofit crusade as a summer intern for Lambda Legal. Skip is currently on the executive board of the Young Lawyers Section (YLS) at the Chicago Bar

Association (CBA). In addition to his service for the CBA YLS, Skip sits on the board of the Lesbian and Gay Bar Association of Chicago (LAGBAC) and is a former board member of the National LGBT Bar Association. Skip is also very active with the Constitutional Rights Foundation of Chicago. He is currently the Vice President of the foundation's Civil Leadership Council.

## **Vickie L. Henry**

Vickie Henry is a Senior Staff Attorney at Gay & Lesbian Advocates & Defenders (GLAD), where she is the director of GLAD's Youth Initiative, worked on the challenges to the Defense of Marriage Act (DOMA), and works for Marriage Equality. Vickie joined the legal team as a Senior Staff Attorney in January 2011, after a 20-year history supporting GLAD as a volunteer and cocounsel. She is a skilled litigator who came to GLAD from the law firm Foley Hoag LLP, where she worked for 15 years, becoming a partner in 2002. Vickie focused her career on intellectual property and commercial litigation.

Prior to joining Foley Hoag, Vickie served as law clerk to the Honorable Denise R. Johnson of the Vermont Supreme Court. She is admitted to the bar in California and Massachusetts and the US Court of Appeals for the Federal, First, and Ninth Circuits, as well as US District Court of Massachusetts and Northern and Central California. From 2006 to 2008 she served on the MassEquality Board of Directors, and from 2003 to 2005 was cochair of the Massachusetts LGBTQ Bar Association. She earned her BA from Wellesley College and her JD from Boston University School of Law.

Henry is the recipient of many honors and awards. She was named one of *Massachusetts Lawyers Weekly's* Top Women of Law in 2012. From 2009 to 2011, she was Chair of the 1,500-member Commercial Litigation Committee of DRI—The Voice of the Defense Bar, the international organization of attorneys defending the interests of business and individuals in civil litigation. She received DRI's Davis Carr Outstanding Committee Chair Award in 2011. She received the Massachusetts LGBTQ Bar Association Pioneering Spirit Award in 2008. She has been named a Massachusetts Super Lawyer since 2004, and was one of five named by *Massachusetts Lawyers Weekly* as "Up and Coming Lawyers" in 2002.

## **Steven K. Homer**

Steven K. Homer is a Senior Lecturer at the University of New Mexico School of Law (UNM), where he serves as the Director of the Legal Analysis and Communication Program. He has taught at UNM for 10 years. He primarily teaches in the first-year legal writing program, but has also taught in the Law Practice Clinic, Advanced Legal Writing, International and Comparative Family Law,



and Sexual Orientation and the Law. He coaches the law school's team in the National Sexual Orientation and Gender Identity Law Moot Court Competition. Prior to joining the faculty at UNM, he practiced mainly in family law and domestic relations, most recently with the New Mexico Human Services Department, Child Support Enforcement Division. He has served on the board of the New Mexico Lesbian and Gay Political Alliance, and the New Mexico Lesbian and Gay Lawyers Association. Steven is a native of Albuquerque, New Mexico, and attended the University of Chicago and Harvard Law School. He is a square dancer and an amateur photographer.

### **Anthony C. Infanti**

Anthony C. Infanti is Senior Associate Dean for Academic Affairs and a Professor of Law at the University of Pittsburgh School of Law, teaching courses in the tax area. Professor Infanti's research is in the area of critical tax theory, with a particular focus on the intersection of tax law with sexual orientation and gender identity. His scholarly articles have appeared in, among others, the *Northwestern University Law Review*, *Utah Law Review*, *Buffalo Law Review*, the online companion of the *North Carolina Law Review*, *Unbound: The Harvard Journal of the Legal Left*, *Columbia Journal of Gender and Law*, *Michigan Journal of Gender and Law*, and *Georgetown Journal of Gender and Law*.

Professor Infanti is also the author of *Everyday Law for Gays and Lesbians (And Those Who Care about Them)* (Paradigm Publishers 2007) and coeditor of *Critical Tax Theory: An Introduction* (Cambridge University Press 2009). Professor Infanti has received both the University of Pittsburgh Chancellor's Distinguished Teaching Award as well as an Excellence in Teaching Award from the graduating students of the University of Pittsburgh School of Law. He is an elected member of the American Law Institute and of the American Bar Foundation.

### **Paula A. Kohut**

Paula Kohut is the sole member of Kohut, PLLC in Wilmington, North Carolina. Her principal practice areas are estate planning, trust and estate administration, business law, and asset protection. She is a member of the Real Property and Probate Section of the American Bar Association and Estate Planning and Fiduciary Law, Business Law and Tax Sections of the North Carolina Bar Association. She serves as a council member of the Estate Planning and Fiduciary Law Section, as well as the Section's Legislative Committee. Ms. Kohut is a Fellow in the American College of Trust and Estate Counsel. She received her BA degree from the University of California at Irvine in 1980 and her JD degree, with honors, from Wake Forest University School of Law in 1983.

She serves on the Boards of the American Civil Liberties Union of North Carolina, North Carolina Association of Women Attorneys, Coastal Women Attorneys, Equality—NC and St. Jude's Wilmington Foundation, Inc.

## **Lydia E. Lavelle**

Lydia E. Lavelle, born in Athens, Ohio, graduated with a BA from St. Andrews University (formerly St. Andrews Presbyterian College). She earned a master's of recreation resources from North Carolina State University, and worked in the field of parks and recreation administration for several years.

A 1993 graduate of the North Carolina Central University (NCCU) School of Law's evening program, she clerked for the Honorable Clifton E. Johnson on the North Carolina Court of Appeals from 1993 to 1995 before obtaining a position at NCCU School of Law. She was the Law School's first Pro Bono Coordinator and Alumni Relations Director. She also served as the Assistant Dean of Student Affairs at the Law School for 10 years.

An Assistant Professor, she teaches civil procedure, state and local governmental law, and sexual identity and the law. She has taught legal writing II, advanced legal writing I, and street law. She serves as a member of the Law School's Curriculum Committee, Relations and External Affairs Committee, and Student Disciplinary Committee. Her memberships include the 15B Judicial District Bar (NC), the North Carolina Bar Association, the American Bar Association, the North Carolina Association of Women Attorneys (NCAWA), the National Lesbian and Gay Law Bar Association (NLGLA), and the North Carolina Gay and Lesbian Attorneys. Lavelle is a past president of NCAWA and currently serves on their nominating committee. She is licensed to practice law in North Carolina and Ohio.

For many years, she has been involved in public service, including nearly a decade as a member of the Durham Open Space and Trails Commission. After being elected to two terms on the Carrboro (NC) Board of Aldermen, she was elected mayor in November 2013.

She has written two articles related to LGBT rights: "North Carolina's Continuing Assignment of Responsibility for Its Children: *Boseman v. Jarrell*," 2 *Charlotte L. Rev.* 479 (2010) and "Grassroots Gay Rights: Legal Advocacy at the Local Level," 21 *Am. U. J. Gender Soc. Pol'y & L.* 507–553 (2013). Lavelle is also a coauthor (with Shannon Gilreath from Wake Forest University) of the casebook *Sexual Identity Law in Context* (West 2nd Ed. 2012).

## **Arthur S. Leonard**

Arthur S. Leonard, a professor at New York Law School since 1982, graduated from Cornell University (Industrial & Labor Relations, BS, 1974) and Harvard



Law School (JD 1977) and is a member of the bar in New York. He teaches contracts, employment law, employment discrimination law, and sexuality and the law. Professor Leonard started New York's LGBT Law Association in 1978 and served as its first elected president (1984–1988). He edits the Association's monthly newsletter, *Lesbian/Gay Law Notes*, which is archived on NY Law School's Website. His free monthly podcast discussing leading cases from *Law Notes* can be found at <http://legal.podbeam.com> or on itunes. Professor Leonard also writes for *Gay City News*, a NYC-based biweekly newspaper, is coeditor of the first law school casebook *AIDS Law* and of the casebook *Sexuality Law* (Carolina Academic Press, 2nd edition, 2009). He provides commentary on LGBT and HIV-related issues on his blog, <http://www.artleonardobservations.com>. In 2005 he received the Dan Bradley Lifetime Achievement Award from the National LGBT Law Association.

Professor Leonard has been a director or trustee of Lambda Legal Defense & Education Fund, The Center for Lesbian and Gay Studies at City University of New York, The Society of American Law Teachers, Congregation Beit Simchat Torah (the world's largest LGBT synagogue), The Jewish Board of Family and Children's Services of New York (JBFCS), and Howard House Owners Corporation (a New York City cooperative apartment building). At the New York City Bar Association, he is past chair of the Committee on Sex and Law, was a founding cochair of the Special Committee on Lesbians and Gay Men in the Legal Profession (predecessor to the LGBT Rights Committee), and has served on the Association's Special Committee on AIDS and the Committee on Labor and Employment Law. He also served as a member of the Task Force on Children, Youth and Families at UJA-Federation of New York (2005–2011).

He and his partner of more than three decades, Tim Nenno, married in Connecticut in 2009.

## **Professor Larry Levine**

Professor Larry Levine is currently in his thirtieth year of full-time teaching at the University of the Pacific McGeorge School of Law in Sacramento, California, where he teaches torts as well as sexual orientation and the law. After graduating with honors from the University of California, Hastings College of the Law, Professor Levine clerked for the Hon. Eugene F. Lynch at the federal district court in San Francisco and practiced law for 2 years in the San Francisco office of Morrison & Forester. In the late 1980s, Professor Levine was one of the founders of the AIDS Legal Referral Panel of Northern California. He also was an inaugural member of what was then called the California State Bar Committee on Sexual Orientation Discrimination. Professor Levine served on the Board of Directors for the National LGBT Bar Association for 5 years



and also served as the Chairperson of the Law School Admission Council's LGBT Issues Subcommittee. He was a cofounder of Sacramento Lawyers for the Equality of Gays and Lesbians. Professor Levine writes and speaks about LGBT Legal Issues frequently. Professor Levine, with his law school's support, has created one of the few LGBT-focused scholarships: The Jeffrey K. Poile' LGBT Civil Rights Scholarship, which was named for the love of Professor Levine's life who died of AIDS in 1992.

## H. Gwen Marcus

H. Gwen Marcus, Executive Vice President, General Counsel, is Showtime Networks' chief legal officer and an integral member of the company's senior management team, with responsibility for all of the company's legal affairs, including its programming and distribution transactions, intellectual property, compliance, litigation, and regulatory issues, and other legal policy matters. Ms. Marcus has been with Showtime Networks for 30 years, having practiced entertainment law before that at the New York firm of Paul, Weiss, Rifkind, Wharton & Garrison. She is often recognized by industry publications as a top executive in her field, including *CableFAX*, which regularly names her one of the "Top 50 Most Powerful Women in Cable"; *Multichannel News*, which awarded her its prestigious "Wonder Woman" honor; and *The Hollywood Reporter*, which has included her in its "Women in Entertainment Power 100" list. In 2010, *Inside Counsel* named Ms. Marcus the recipient of its First Annual Transformative Leadership Sharing the Power Award for advancing the economic empowerment of women in the law, and featured a profile of her in its January 2011 issue.

Ms. Marcus is a frequent speaker on LGBT-related diversity issues in the workplace and has also been recognized by the LGBT press (including *Curve Magazine*, which has named her one of the "Ten Powerful Lesbians in Film & TV," and *Go Magazine*, which has included her in its "100 Women We Love" list). Ms. Marcus serves on the Board and Executive Committees of two not-for-profit corporations, Theatre Development Fund and the LGBT Community Center of New York, which awarded her its Corporate Leader Award in 2006, and elected her Board Cochair in 2009. She also serves on the Advisory Board of WILEF (Women in Law Empowerment Forum), and on the Legal Council of the Williams Institute, a national think tank on sexual orientation law and public policy under the auspices of UCLA School of Law. She has also been recognized by other not-for-profit organizations over the years, including POWER UP (Professional Organization of Women in Entertainment Reaching Up, which in 2005 named her one of the "Ten Most Amazing Gay Women in Showbiz"), Cable Positive, GMHC, and the YWCA of the City of New York.



A member of the New York State Bar, Ms. Marcus graduated magna cum laude from Brandeis University with a *Phi Beta Kappa* key, and cum laude from New York University School of Law, where she was elected to the Order of the Coif and served as an Articles Editor of the *New York University Law Review*. In 2009, the law school recognized Ms. Marcus for her professional achievements.

Ms. Marcus resides in New York with her partner of 31 years, Nancy Alpert, whom she married in 2008 in Massachusetts (where Ms. Alpert was born and raised and where her parents, lifelong Massachusetts residents, threw them the wedding of their dreams).

### **Raquel M. Matas, Esq.**

Raquel M. Matas is the Associate Dean for Administration and Counsel to the Dean at the University of Miami School of Law. Previously, she was a partner in the law firms of Ferrell Worldwide and Carlton Fields, where she practiced commercial real estate law and business transactions. Ms. Matas is a former member of the Board of Governors of the Florida Bar. She serves on the Florida Supreme Court Standing Committee on Diversity and Fairness and on the Florida Bar Standing Committee on Diversity and Inclusion. She previously served as the Law School's liaison to the Florida Bar's Committee on Continuing Legal Education.

In addition to her administrative duties at the Law School, Ms. Matas regularly teaches or co teaches with members of the Law School Faculty. She has taught property modules with Professor Mary Doyle, mindfulness and leadership with Professor Scott Rogers, and a series on marriage equality with Professor Charlton Copeland.

Ms. Matas is an active community leader. She is a member of the Board of Directors of TotalBank, and chairs its Risk Committee, which oversees corporate risk governance and risk management processes. She previously chaired the Board's Consumer Compliance/Community Reinvestment Act Committee and the BSA Committee. She is also a member of the Miami Chapter of Commercial Real Estate Women, the Hispanic National Bar Association (Chair of the LGBT Section), and the National Advisory Council of the National Center for Lesbian Rights. She was the founding president of the Board of Directors of Americans for Immigrant Justice and served as President from 1996 to 2000.

Ms. Matas is the recipient of numerous awards and distinctions. She was named by *The Miami Herald* as one of 12 women in South Florida who "set the agenda" in their fields, and has been recognized as one of South Florida's top real estate lawyers by *Florida Trend Magazine*, *South Florida Legal Guide*, and *South Florida Business Journal*.

Born in Havana, Cuba, Ms. Matas grew up in San Juan, Puerto Rico. She received her bachelor of arts degree in economics, magna cum laude, from



Regis College in Weston, Massachusetts, and her juris doctor from Northeastern University School of Law in Boston, Massachusetts.

### **Carrington Madison Mead “Rusty”**

Rusty is a lesbian attorney who was born in Georgia and raised just across the border in South Carolina. She came of age as a child in the 1960s and 1970s and joined the United States Navy after graduating high school, following in the footsteps of her father and granduncles. She served honorably as a ground support mechanic for 3 1/2 years. She has a daughter who is happily married and lives with her husband. She lives with her wife, sister, four dogs, two cats, a fish, a bird, and a crowdaddy in Jacksonville, Florida.

### **Alyson Dodi Meiselman**

Ms. Meiselman, a solo practitioner in Gaithersburg, Maryland, concentrates her practice in gender and sexuality law with a focus on matters effecting transsexuals. She is a past Chair of the Legal Issues Committee of the World Professional Association for Transgender Health. Ms. Meiselman has served as a member of the ABA Commissions on Women in the Profession (2006–2009), Sexual Orientation and Gender Identity (2009–2012), and Domestic and Sexual Violence (2013–2014). She has also served as Chair of the Alternative Families Committee of the ABA Family Law Section. Ms. Meiselman is a 2007 recipient of the Trinity Award for Community Service from the International Foundation for Gender Education, and the Transgender Business Person of the Year 2009 from PEN-Metro DC’s LGBT Chamber of Commerce.

Ms. Meiselman, who transitioned to female in 1998, was the subject of a French TF1 *Reportage* documentary entitled *My Dad, This Great Woman* in 2001. She was the primary author of *Slavery, Sex & Gender* and *The Ancient Doctrine of Stare Decisis: A Re-Examination of the Doctrine In Light of Time Influenced Legal Reasoning* and “The Current State of Transgender Legal Issues,” 2 *Geo. J. Gender & L.* 735 (2001), and “Cause of Action for Change of Legal Gender,” 24 *COA2d* 135 (2004). Ms. Meiselman has been a CLE panelist and lecturer, nationally and internationally, on issues of civil and human rights regarding gender identity. She is a member of the ABA Sections Individual Rights & Responsibilities and the Judicial Division’s Lawyer’s Conference.

### **David A. Mills**

David A. Mills was an associate justice on the Massachusetts Appeals Court, the intermediate appellate court for the state of Massachusetts. He was appointed to this position by Governor Jane Swift and took office on



October 18, 2001. Mills retired in 2012. He served as a Town Meeting member in Danvers for 30 years and was town moderator for three terms.

## Jill Mullins

Jill Mullins practices family law at McKinley Irvin in Seattle, Washington. She is the past President of the GLBT Bar Association of Washington Foundation (QLaw Foundation). During her time on the QLaw Foundation board, Jill led the efforts to create a QLaw Foundation GLBT Legal Clinic. The GLBT Legal Clinic opened its doors in August 2009 and has served more than 350 clients. Jill also led efforts with the QLaw Foundation Project OUTReach to increase access to information about laws impacting the LGBT community throughout Washington state. In addition, Jill has presented on several CLEs and community education panels. She mentors law students through the QLaw mentoring program.

Jill went to undergrad at Wells College in Aurora, New York, and the University of Washington School of Law. Jill comes from a large and queer family, perhaps most exciting to people is that she and her fraternal twin, CJ Mullins, are both queer.

## Nancy Polikoff

Nancy Polikoff is Professor of Law at American University Washington College of Law where she teaches family law and a seminar on Children of LGBT Parents. From fall 2011 through fall 2012, she was the Visiting McDonald/Wright Chair of Law at UCLA School of Law and Faculty Chair of the Williams Institute, a national think tank on sexual orientation law and public policy at UCLA Law. In 1976, Professor Polikoff coauthored one of the first law review articles on custody rights of lesbian mothers. For almost 40 years, she has been writing about, teaching about, and working on litigation and legislation about LGBT families. Professor Polikoff was instrumental in the development of the legal theories that support second-parent adoption and custody and visitation rights for legally unrecognized parents. She was successful counsel in *In re M.M.D.*, the 1995 case that established joint adoption for lesbian, gay, and unmarried couples in the District of Columbia and *Boswell v. Boswell*, the 1998 Maryland case overturning restrictions on a gay noncustodial father's visitation rights. From 2007 to 2009, she played a primary role in the drafting and passage of groundbreaking parentage legislation in the District of Columbia, for which she was honored with a Distinguished Service Award from the DC Gay and Lesbian Activists Alliance.

Professor Polikoff is a passionate advocate of the view that the law should recognize and protect the many ways in which LGBT people form families and

that marriage is an incomplete LGBT family law agenda. Her book *Beyond (Straight and Gay) Marriage: Valuing All Families under the Law* was published by Beacon Press in 2008, the inaugural volume in its *Queer Ideas* series.

Professor Polikoff coordinated the legal representation of the hundreds of protesters arrested in October 1987 for civil disobedience at the US Supreme Court in protest of the Court's 1986 ruling in *Bowers v. Hardwick*. Her article reflecting on that and other lawyering experiences, "Am I My Client? The Role Confusion of a Lawyer Activist," 31 *Harv. Civ. Rts.-Civ. Lib. L. Rev.* 445 (1996), has been assigned in numerous law school courses.

Before joining full-time academia in 1987, Professor Polikoff cofounded the Washington, DC, Feminist Law Collective and then supervised family law programs at the Women's Legal Defense Fund (now the National Partnership on Women and Families). She holds a JD from Georgetown and a master's degree in women's studies from George Washington University.

Professor Polikoff is a former chair of the Association of American Law Schools Section on Sexual Orientation and Gender Identity Issues and a member of the National Family Law Advisory Council of the National Center for Lesbian Rights. In 2011, she received the Dan Bradley award from the National LGBT Bar Association, the organization's highest honor.

### **Myron Dean Quon, Esq.**

Myron Dean Quon is a nonprofit leader and civil rights attorney who has led coalitions of community stakeholders, built civil rights initiatives focused on regional needs, and litigated groundbreaking legal victories ranging from protecting the rights of students at public schools to securing asylum for immigrants fleeing persecution to ending disability-related discrimination.

Mr. Quon is the Executive Director of NAPAFAASA, the national nonprofit organization focused on substance use disorders and other behavioral health addictions in Asian-American, Native Hawaiian, and Pacific Islander communities. Mr. Quon manages its programs, including problem gambling prevention, and prevention and early intervention for substance use disorders. In addition, he leads NAPAFAASA's national advocacy concerning health-care reform, with a focus on parity of health care for substance use disorders and mental health. Mr. Quon is an appointed member of the Tobacco Education and Research Oversight Committee, a legislatively mandated advisory committee charged with overseeing the use of California's Proposition 99 tobacco tax revenues (\$80 MM/year) for tobacco control and prevention education and for tobacco-related research.

Before NAPAFAASA, Mr. Quon was the Executive Director of The Asian Pacific American Legal Resource Center, where he oversaw a one-third



increase in its operational budget to \$1 MM, doubled its staff from 10 to 20, and expanded its impact from two to four offices. APALRC is the legal services organization for the District of Columbia, Maryland, and Northern Virginia assisting low-income and limited-English proficient Asian Pacific Islanders, through legal services, advocacy, and community organizing. Mr. Quon also supervised the DC Language Access Coalition—APALRC’s independent unit advocating for the language access rights of DC’s limited-English proficient residents and businesses.

Prior to APALRC, Mr. Quon was the Legal Director of the Asian American Institute in Chicago. Mr. Quon successfully led advocacy efforts to repair the presumptive exclusion of Asian-American-owned business enterprises from the City of Chicago’s public contracting affirmative action program. As the Midwest region’s APA civil rights attorney, Mr. Quon’s legal advocacy included anti-Asian discrimination at a retail department store and hate crimes advocacy. He also coordinated poll watching for limited-English proficient Chinese voters protected by the Voting Rights Act, and he spearheaded data collection and analysis, documenting language barriers that prevented Lao American seniors from accessing quality health care.

Before AAI, he served as an in-house consultant at The Chicago Community Trust. His work included grantmaking for the Chicago Area Foundation for Legal Services, as well as strategic planning for multiyear initiatives impacting Chicago’s neighborhoods and communities. Mr. Quon’s background includes being the Deputy Regional Director of the Western Regional Office of Lambda Legal Defense and Education Fund—focusing on civil rights and public policy affecting LGBT people and people with HIV in 10 western states. While there, he focused on education and outreach to underserved communities, the development of a Latino Outreach project, and major donor stewardship and fund-raising. Previously, as a staff attorney at the same agency, he performed community education and litigation on various civil rights issues, including education and youth nondiscrimination, immigration discrimination, public benefits and HIV/AIDS discrimination, and gay profiling by law enforcement. Mr. Quon has also been a managing attorney of the Legal Aid Foundation of Santa Barbara County, guiding legal services provision—public benefits, eviction defense, and domestic-violence prevention—to low-income and senior communities.

Through his work, Mr. Quon has become a nationally respected expert on diversity issues. He has been featured in or quoted by national media, including *The Washington Post*, National Public Radio, The O’Reilly Factor, *The San Francisco Examiner*, and *The Los Angeles Times*.

For his advocacy on behalf of Asian-American and LGBTQ communities, Boston University School of Law awarded Mr. Quon the 2012 Silver



Shingle Award for Service to the Community. Mr. Quon has taught for UC Berkeley's UCDC legal externship program. Mr. Quon also has taught at Duke Law School and Northwestern University—teaching a self-developed course on LGBT and APA law and policy issues. Mr. Quon received his MBA from the Kellogg School of Management at Northwestern University, his juris doctor from Boston University School of Law, and his BA from the University of California at Berkeley. Mr. Quon is admitted to the US Supreme Court Bar, the California State Bar, and the District of Columbia Bar.

## **James Reed**

James Reed has more than 20 years of legal health-care experience. He began his career defending physicians and dentists in medical malpractice cases. During the Clinton Administration, Jim joined the US Department of Health and Human Services as an Assistant Regional Counsel in Chicago. In that role, he represented many of the HHS agencies, including CMS, IHS, PHS, ACF and OCR. During his 8 years with the federal government, Jim handled regulatory compliance cases against physicians, hospitals, SNFs, and HHAs. Jim briefly left HHS to serve as Associate General Counsel for Classic Residence by Hyatt, the Hyatt Hotel Corporation's senior living division. He eventually left the federal government to work for the Loyola University Health System as an Associate General Counsel. In that role, he represented the academic medical center (hospital, provider-based clinics, medical school, and physician foundation) as well as several ancillary businesses, including a community hospital. Jim focused on hospital and clinic operations as well as Medicare and Medicaid reimbursement and compliance.

After 16 years in Chicago, Jim and his husband were ready to move to a warmer climate and chose California. He briefly stopped in Northern California, long enough to serve as Sutter Health's assistant regional attorney for the Peninsula Coastal Region. His clients in that role included four acute care hospitals and a large physician foundation. After deciding to relocate to Palm Springs, California, Jim and his husband took a mid-career sabbatical and enjoyed a year of pursuing personal interests like teaching, writing, hiking, cycling, and exploring the desert southwest. At the end of his sabbatical, Jim was excited to assume the role of Deputy General Counsel at Eisenhower Medical Center. He currently supports hospital operations, finance, and compliance.

Jim and his husband met in 1992 when practicing law in the same office in Indianapolis, Indiana. They have been together for more than 20 years. On their tenth anniversary, they were civilly united in Vermont. And, on their fifteenth anniversary, they were married in California (during the brief pre-Prop 8 passage period). They currently live in Palm Springs, California, with their dog Oliver.



## Katrina Rose

Katrina Rose is currently finishing her doctorate in history at the University of Iowa, with her dissertation focusing on transgender legal history. She is originally from Texas, but currently lives on the Illinois side of the Mississippi River in the Quad Cities area with her wife Laura and their two dogs and two cats. A 1987 graduate of Texas A&M University in College Station and a 1998 graduate of South Texas College of Law in Houston, she is admitted to practice in Texas and Minnesota. Before embarking on her quest for a PhD, she clerked for the Honorable James E. Broberg of the Third Judicial District in Freeborn County, Minnesota.

## Josephine Ross

Josephine Ross is an Associate Professor of Law at Howard University School of Law. She has also taught at Boston College Law School and Michigan State University School of Law. She is the author of “The Sexualization Of Difference: A Comparison Of Mixed-Race And Same-Gender Marriage,” 37 *Harvard Civil Rights-Civil Liberties Law Review* 255 (2002). Professor Ross was a board member with the Massachusetts Lesbian and Gay Bar Association from its inception.

Josephine is an academic who teaches criminal procedure and a criminal justice clinic at Howard University School of Law. Additionally, Josephine writes about her work as a law clerk in New Hampshire in 1984 to 1985, her work as a public defender in Worcester, Massachusetts, and about being a gay parent.

## William B. Rubenstein

William B. Rubenstein is the Sidley Austin Professor of Law at Harvard Law School, where he writes and teaches about civil procedure and complex litigation.

After graduating from Yale College (magna cum laude, 1982) and Harvard Law School (magna cum laude, 1986), Professor Rubenstein clerked for the Hon. Stanley Sporkin in the US District Court for the District of Columbia. He was then awarded a Harvard Fellowship in Public Interest Law to help start an AIDS Project at the national office of the American Civil Liberties Union.

Professor Rubenstein was a Staff Attorney with the ACLU’s National LGBT and AIDS Projects from 1987 to 1990 and Director of those Projects from 1990 to 1995. In those capacities, he litigated civil rights cases in state and federal courts throughout the country and oversaw the ACLU’s national litigation docket on these issues. Professor Rubenstein argued the landmark case *Braschi v. Stahl Associates*, 544 N.E.2d 49 (N.Y. 1989) before New York’s highest court, yielding the first decision in the United States recognizing a gay couple as a legal family. While practicing at the ACLU, Professor Rubenstein also taught courses on sexual orientation and AIDS law at Harvard and Yale Law Schools. In conjunction with those courses, he authored the first law school



casebook in the area, now entitled, *Cases and Materials on Sexual Orientation and The Law* (with Carlos Ball and Jane Schacter, 4th ed. 2011).

From 1995 to 1997, Professor Rubenstein was a visiting professor from practice at Stanford Law School; he was awarded the 1996–1997 John Bingham Hurlbut Award for Excellence in Teaching at Stanford Law School. From 1997 to 2007, Professor Rubenstein taught at UCLA School of Law; he was awarded the 2001–2002 Rutter Award for Excellence in Teaching at UCLA. While at UCLA, Professor Rubenstein founded the Williams Institute on Sexual Orientation Law and Public Policy. Professor Rubenstein joined the Harvard faculty in 2007; he was awarded the 2011–2012 Albert M. Sacks-Paul A. Freund Award for Teaching Excellence at Harvard Law School.

Professor Rubenstein's work currently emphasizes class action law: he has widely published, litigated, lectured, and consulted in the field. Professor Rubenstein is the author, coauthor, or editor of four books and more than a dozen scholarly articles, as well as dozens of shorter publications, most of which concern complex litigation. Since 2008, Professor Rubenstein has been the sole author of the leading treatise on class action law, *Newberg on Class Actions*; he is in the process of rewriting the entire 11-volume treatise for its fifth edition. The American Law Institute selected Professor Rubenstein to be one of nine law professors in the United States to serve as an Adviser on a restatement-like project developing the *Principles of the Law of Aggregate Litigation*. In the past few years, Professor Rubenstein has been retained as an expert witness or consultant in more than 50 class action and complex litigations, on issues ranging from the propriety of class certification to the reasonableness of settlements and fees.

Professor Rubenstein is a member of the bars of the State of California, the Commonwealth of Massachusetts, the Commonwealth of Pennsylvania (inactive), the District of Columbia (inactive), the United States Supreme Court, and numerous federal circuit and trial courts.

Professor Rubenstein is originally from Pittsburgh, Pennsylvania, and currently resides in Cambridge, Massachusetts.

## Sara Schnorr

Sara Schnorr is a partner in the Real Estate Department in the Boston office of Edwards Wildman Palmer LLP. She joined Palmer & Dodge, one of Edwards Wildman's predecessor firms, directly out of law school in 1979, becoming a partner in 1987. Her practice focuses on complex commercial real estate development, permitting, acquisition, financing, and leasing, with specialties in the biotech, telecommunications, and affordable housing industries. A former member of the firm's hiring committee, Sara is a current member of the firm's pro bono and legal opinion review committees and the Boston office's diversity committee.



Sara grew up in Pittsburgh, Pennsylvania, the only child of German–Irish parents, where she attended Catholic elementary and high school.

Sara received a BA (cum laude) in German literature and language from Harvard in 1970. From 1970 to 1971 she read Kafka and Hegel while improving her Bavarian accent as a Fulbright Fellow in Munich. Sara earned a MAT from Wesleyan University in 1972, and then went on to teach German and English in public high schools in Kingston, Massachusetts, and North Haven, Connecticut, for 4 years. While earning her JD at the University of Virginia School of Law, Sara served as Editor in Chief of the *Virginia Journal of International Law* and won the School of Law's Hardy Cross Dillard Award for her Note "Trust-Busting with a German Accent" published in the 1978–1979 volume of the *Virginia Journal of International Law*.

In 2009 Sara publicly transitioned as a male-to-female transsexual while retaining her partner status at Edwards Wildman. She is a member of the American Bar Association, the Founders' Circle of GLAD's Transgender Rights Project, the Board of Visitors of Fenway Health, SpeakOUT Boston, and the Massachusetts LGBTQ Bar Association.

In her personal life, Sara is a retired marathon runner, has two adult children, two dogs, and lives in Wellesley, Massachusetts, where she's been active in town government volunteer committee work for over 26 years.

## **Gary N. Schumann**

Mr. Schumann is a founding partner of Savrick, Schumann, Johnson, McGarr, Kaminski & Shirley, LLP. He has been practicing law since 1989. Mr. Schumann's primary focus is on general litigation matters, including insurance disputes and insurance coverage matters, commercial and contractual disputes, and personal injury defense. Mr. Schumann appears regularly in state and federal courts throughout Texas.

Mr. Schumann is the father of two daughters, Evan and Chloe. He is actively involved in leadership positions in his church and is an avid runner and triathlete. He has raced in the following events: Chicago Marathon, 2002; Paris Marathon, 2004; New York Marathon, 2004; Vancouver Marathon, 2004; Seattle Marathon, 2005; Various Austin Marathons, 2004–2006; Competed in 11 Triathlons throughout Texas including the Longhorn 1/2 Ironman. Mr. Schumann is always happy to talk about running and UT football.

## **Elizabeth F. Schwartz**

Elizabeth Schwartz has been practicing law since 1997 and is one of Miami's best known advocates for the legal rights of the lesbian, gay, bisexual, and transgender (LGBT) community. While her South Beach-based firm

equally works with straight and gay clients in matters of family law, estate planning, and probate, she has made a name for herself representing the LGBT community, with a focus on family formation (adoption, insemination, surrogacy). She lectures locally and nationally about the importance of LGBT couples protecting their loved ones through estate planning, second-parent adoption, and contract (especially in the absence of true marriage rights) and has been on the forefront of providing crucial legal protections for LGBT families. Elizabeth is a fellow of the American Academy of Adoption Attorneys and serves as an adoption intermediary, helping make forever families of all kinds.

Elizabeth is currently serving as pro bono counsel on the pending case challenging Florida's marriage ban brought by the National Center for Lesbian Rights on behalf of six same-sex couples seeking the right to marry and the Equality Florida Institute (*Pareto v. Ruvin*). She also served as pro bono counsel in several cases that helped overturn Florida's bigoted 1977 ban forbidding gays and lesbians from adopting children.

Also a certified family mediator and a member of the Collaborative Family Law Institute, she treats the law as a therapeutic profession, facilitating relationship dissolution with minimal investment of emotional and financial resources.

A Miami Beach native, Elizabeth received her bachelor of arts from the University of Pennsylvania in 1993 and her juris doctor, cum laude, from the University of Miami in 1997.

She is a member of the National Family Law Advisory Council of the National Center for Lesbian Rights and a member of the Board of Trustees of the Greater Miami Jewish Federation. Elizabeth is cochair of the Miami-Dade Gay and Lesbian Lawyers Association and immediate past President of the Miami Beach Bar Association. Elizabeth is also a founding member of the Aqua Foundation for Women, raising money by and for South Florida's lesbian community.

For her years of service, she received the 2012 National Gay & Lesbian Task Force's prestigious Eddy McIntyre Community Service Award at the Task Force's annual Miami Recognition Dinner. Also in 2012, Elizabeth was tapped for membership into Iron Arrow, the highest honor attained at the University of Miami. In 2010, Elizabeth was named by the National LGBT Bar Association as one of the country's Best LGBT Lawyers under 40, and also received the Women Worth Knowing Award from the City of Miami Beach Commission for Women. In 2008 she was honored with the "Valuing Our Families" Community Award, presented by Sunserve. In 2007, she received the Dade County Bar Association's Sookie Williams Award and the Aqua Foundation for Women Leadership Award. And in 2005, she received the Miami-Dade Gay & Lesbian Chamber of Commerce Community Award.



A lefty and a Scorpio, Elizabeth lives with her wife, Journalist Lydia Martin, and their dog Buttercup in downtown Miami's urban core.

## **Charlie Spiegel**

Since graduating New York University School of Law with honors, Charlie Spiegel engaged in sophisticated real estate legal practices, prior to opening his current family law mediation and collaborative practice for straight and LGBT clients in Northern California. As a former Cochair of Lambda Legal's National Board, one of the founding Executive Directors of Our Family Coalition, and recent board member of [www.CPCal.org](http://www.CPCal.org) and [www.KidsTurn.org](http://www.KidsTurn.org), Charlie has been advocating for marriage equality for over 25 years. For CPCal, Charlie cowrote a low-cost educational program Divorce Options offered in counties throughout California. He also assists clients in adoption and surrogacy, and educates regularly for adoption connection, and won JFCS's Fammy Award. He is an annual volunteer in the Gender Spectrum free legal clinic, and other volunteer work through the SF Family Court and Community Boards. Charlie does no litigation.

## **Scott Squillace**

Scott Squillace is a life and estate planning attorney with over 27 years of experience practicing law. He is admitted to practice law in Massachusetts, New York, and Washington DC, and has been admitted to the Bar in Paris, France, as an Avocat. Scott began his practice career as a corporate attorney at Skadden, Arps, where he assisted in opening its Paris and Moscow offices in the early 1990s. During his time at Skadden, he did significant private and public company corporate and securities work, including business succession planning and international transactional work.

Scott also has significant business counseling experience as an in-house corporate attorney, first as General Counsel for Levi Strauss & Co.'s European Division based in Brussels and later as the first General Counsel for Grand Circle Travel, a privately held Boston-based travel company. He also served as European Counsel for Cabot Corporation, a NYSE public company.

As the founder of Squillace & Associates, PC—a boutique law firm in Boston's historic Back Bay—Scott now specializes in life, estate, and business planning matters with other attorneys in his firm. His focus includes tax, philanthropic, and estate planning needs for clients generally and includes international clientele, corporate executives, small business owners, physicians, and attorneys. He has a particular focus on helping same-sex couples with their unique planning needs. Scott has become nationally recognized for his planning work with the LGBTQ community and is the author of *Whether to Wed: A Legal and Tax Guide for Gay and Lesbian Couples*.

Scott was appointed by Governor Deval Patrick to serve on a newly formed commission to study needs of the LGBT elder community. He serves on a variety of professional and nonprofit boards, including the Board of Overseers for Beth Israel Deaconess Medical Center and as a Corporator for Eastern Bank.

Scott also serves as Cochair of the Equality Fund, an endowment for the LGBT Community established at The Boston Foundation. He is a member of the Board of Directors for the Boston Estate Planning Council and a Certified Legacy Advisor of The Sunbridge Legacy Institute. He has been a columnist for Practical Estate Planning and lectures and writes frequently on estate and business planning as well as charitable giving strategies and planning for the LGBT community.

He holds his bachelor's degree from Fordham University in New York, has studied at the Sorbonne University in Paris, and earned his JD from the Columbus School of Law at the Catholic University of America in Washington, DC.

## **Judith M. Stinson**

Professor Stinson practiced law for 6 years before beginning her teaching career at the University of Illinois in the Legal Research and Writing Program and the Law Minority Access Program. She also served as Assistant Dean of Student Affairs at Illinois. In 1997, she joined the College of Law, where she has served as director of the Legal Writing and Academic Success programs.

Professor Stinson's research and teaching focuses on Legal Method and Writing, Appellate Advocacy, and Sexual Orientation and the Law, including an international course on Sexuality and the Law. She coauthored *Examples & Explanations: Legal Writing*, and she published the advanced text *The Tao of Legal Writing*, as well as several articles relating to legal writing, the courts, and sexual orientation issues. Professor Stinson is a past president of the Association of Legal Writing Directors and a member of the Legal Writing Institute, and she served for 12 years on the State Bar of Arizona's Sexual Orientation and Gender Identity Committee.

## **Mario A. Sullivan**

Mario A. Sullivan is named partner at Johnson & Sullivan, Ltd., in Chicago, Illinois. He counsels clients on a wide range of issues relating to real estate, landlord/tenant, creditor bankruptcy, employment, contract law, business formation, and estate planning. Mr. Sullivan is a member of the Chicago Bar Association (CBA), the Illinois State Bar Association, and the American Bar Association (ABA). In addition, he is a member of the National LGBT Bar Association (LGBT Bar) and Lesbian and Gay Law Association of Chicago (LAGBAC).



Mr. Sullivan served as 2013–2014 Chair for the ABA Young Lawyers Division (YLD), a Board Member and Cochair of the Program Committee for the LAGBAC, a Board Member to the LGBT Bar, and a member of the Public Interest Law Initiative (PILI) Alumni Network Leadership Council.

Mr. Sullivan is a former PILI Intern; has previously served as Vice President of LAGBAC; on the Planning Committee-Fund-raising for Equality Illinois 2005 Gala; 2012–2013 Chair-Elect, 2011–2012 Secretary-Treasurer, 2010–2011 Conference, Program, and Products Director, 2009–2010 Diversity Director for the ABA YLD; Committee member to the ABA YLD Diversity Team and Resolutions Team; National Representative for the LGBT Bar to the ABA YLD; Chair of the local host committee for the LGBT Bar's Lavender Law—2007; Chair and Vice Chair of the CBA Committee on the Legal Rights of Lesbians and Gay Men; and Board Member of the ACS Chicago Lawyer Chapter.

Mr. Sullivan graduated from the Illinois State University in 2000 and obtained his JD from The John Marshall Law School in 2005.

## **Gordon O. Tanner**

Gordon O. Tanner is the General Counsel of the US Department of the Air Force and Chief Legal Officer and Chief Ethics Official for the Air Force in Washington, DC. In this role, he provides oversight, guidance, and direction for legal advice provided by more than 2,600 Department of the Air Force military and civilian lawyers worldwide.

Prior to his appointment, he retired from the Senior Executive Service as the Principal Deputy Assistant Secretary of the Air Force for Manpower and Reserve Affairs, located in the Pentagon, Washington, DC. He acted for and assisted in executing the responsibilities of the Assistant Secretary in the supervision of manpower, military, and civilian personnel; reserve component affairs; and readiness support for the Department of the Air Force. He provided guidance, direction, and executive oversight to the Deputy Assistant Secretaries for Management Integration, Strategic Diversity Integration, Reserve Affairs, and the Deputy for the Air Force Review Boards Agency.

In addition, Mr. Tanner served as the Principal Deputy General Counsel of the Air Force. He provided oversight, guidance, and direction regarding legal advice on matters arising within the Department of the Air Force. Mr. Tanner assumed this position after 1 year as the Deputy Assistant Secretary of the Air Force (Reserve Affairs), Office of the Assistant Secretary of the Air Force (Manpower and Reserve Affairs), the Pentagon, Washington, DC, where he was responsible for coordinating, planning, and establishing policy for the Air National Guard, Air Force Reserve, and Civil Air Patrol. He also served as the



Department of Defense Executive Agent for the National Science Foundation Antarctica Program/Operation Deep Freeze.

In his prior private practice, Mr. Tanner was a Senior Partner in the Financial Institutions and Real Estate Group of a large multistate firm that practiced in almost all fields of law, with clients located in Europe, Asia, Canada, and all 50 states. He represented clients in a broad range of industries, including banks and financial institutions, real estate joint ventures, and development firms, as well as emerging high technology firms.

Mr. Tanner retired as a Colonel in the US Air Force Judge Advocate General Corps Reserves. His Reserve assignments included service in the Office of the Air Force General Counsel as the Senior Reserve Individual Mobilization Augmentee to the Staff Judge Advocate, Fourteenth Air Force, Vandenberg Air Force Base, California (Air Force Space Command) and as the Senior Individual Mobilization Augmentee and Instructor at The Judge Advocate General School Maxwell AFB, Alabama

## **Katherine Triantafillou**

Katherine Triantafillou is an innovative lawyer, teacher, and writer whose general practice includes family, probate law, and small businesses as well as mediation. Attorney Triantafillou was featured in *Boston Magazine* in 1994 as one of the city's top lawyers, recognized in *Feminists Who Have Changed America—1963–1975* (2006) and by MassEquality with a MassIkon medal in 2014.

An energetic and committed community leader, Katherine served three terms as a City Councilor in Cambridge, Massachusetts, led efforts to enact a first in the nation Asbestos Protection Ordinance, codrafted the Abuse Prevention Act, a national legislative model for addressing domestic violence, established the right of unmarried cohabitants to jointly adopt in *Adoption of Tammy*, and helped enact the City of Cambridge's Domestic Partnership Ordinance. Katherine cofounded the Massachusetts Lesbian and Gay Bar Association and the National Lesbian and Gay Law Association and served both organizations as founding cochair. She was a member of Board of Directors of MassEquality for 5 years and served a term as the organization's Vice President. Currently she is chair of the Town of West Tisbury Finance Committee.

In addition to her domestic law practice, Attorney Triantafillou has consulted internationally with a number of organizations, including Mediators Beyond Borders, CARE, IFES, NDI, and KEDE on a range of issues from the criminal defense of a Kenyan accused of plunder in Kosovo, training parliamentarians in campaign tactics and strategies in Bosnia, evaluating local government programs in Azerbaijan, creating a nurse's training program for Iraqi women in Greece, and training mediators and facilitators in conflict resolution.



Triantafillou has also presented papers on the issue of violence against women in Singapore and Cyprus.

Katherine taught family law as an adjunct professor at Suffolk Law School and Sexual Orientation and the Law at Northeastern University, as well as paralegal training programs at Boston University, the University of Massachusetts, and Transition House, a shelter for battered women in Cambridge. She has been a frequent lecturer at continuing legal education seminars for the Massachusetts Bar Association and the Massachusetts Continuing Legal Education Foundation and a former member of the Mass Bar Association Family Law Council. Triantafillou also served as chair of the Mass Bar Association Individual Rights and Responsibilities Section.

Her many publications include *Cultural and Diversity Issue in Mediation and Negotiation*, *Cultural and Diversity Issues in Mediation*, *Same-Sex Conflicts: A Primer for Mediators*, *Representing Non-Traditional Families*, *Massachusetts: New Legislation to Help Battered Women How To Do Your Own No-Fault Divorce*, *The Legal Rights of Battered Women—How to Use the Law*, and numerous essays that have appeared in the *Boston Herald*, *Bay Windows*, *People for the American Way*, *Cambridge Day*, *The Vineyard Gazette*, and [mediate.com](http://mediate.com).

Katherine Triantafillou graduated from the Kennedy School of Government, Harvard University (MPA, 1999), Suffolk Law School (JD, 1975), and the University of Michigan (BS with distinction, 1972). She is an affiliate of the Boston Law Collaborative and has offices on Martha's Vineyard and in Boston, Massachusetts, and may be reached by telephone at 508-693-1788 or 617-439-4700 x 215 and e-mail at [katherine@ktlaw.us](mailto:katherine@ktlaw.us).

## **Dr. Jillian T. Weiss**

Dr. Jillian T. Weiss has a JD and a PhD in law, policy and society. Currently Professor of Law and Society at Ramapo College of New Jersey, her research area is gender identity and law. She has authored over 50 academic publications, presentations, and other scholarly works, as well as approximately 40 articles and interviews for media organizations, including *The New York Times* and *Associated Press*. Her volunteer work includes serving as a member of the Board of Directors of Lambda Legal, the oldest and largest US national legal organization whose mission is to safeguard and advance the civil rights of lesbians, gay men, bisexuals, transgender people and those with HIV through impact litigation, education and policy work. Dr. Weiss provides consulting services for private and public employers, including Harvard University, Boeing and New York City. She also provides legal representation in cases involving gender identity and gender expression discrimination. She is a member of the

National LGBT Bar Association and Chair of the Planning Committee for its annual Transgender Law Institute.

## **Erin M. Wright**

Erin M. Wright is the Associate Director of Career Development at a New England law school. She is the current Chair of the LGBT section of the National Association for Law Placement (NALP) and President of the New England Law School Consortium (NELLIE). Erin is also the advisor for the law school's student LGBT group, Alliance. Prior to joining the law school, Erin was a practicing attorney at a mid-sized law firm in Indiana, focusing on corporate civil litigation. She graduated with a juris doctor from the University of Notre Dame Law School, a master's in human relations from the University of Oklahoma, and a bachelor of arts in humanities from Providence College. Erin is a member of the Indiana Bar, the Northern and Southern Districts of the United States District Court for Indiana, the RI Women's Bar, and the National LGBT Bar. All comments made in this essay are solely the opinion of the author and are not meant to express or imply the position of her employer.

## **Mia Frances Yamamoto**

(Formerly Michael Francis Yamamoto)

Mia was born in Poston Relocation Camp, Arizona, in 1943. She graduated from California State University, Los Angeles, in 1966 with a BS in Government. She served in the US Army from 1966 to 1968, fourth Infantry Division, USARV, and was awarded the National Defense Service Medal, Army Commendation Medal, Vietnam Campaign Medal, and Vietnam Service Medal. She attended UCLA School of Law and was the cofounder of the Asian Pacific Islander Law Student Association. She began her legal career at the Legal Aid Foundation of Los Angeles and worked as a deputy LA County Public Defender and California State Public Defender before going into private practice.

Mia is one of the most distinguished and successful criminal defense attorneys in Southern California. She has tried over 200 jury trials and represented thousands of clients accused of criminal offenses, including murder, assault, sex offenses, drug offenses, theft, white-collar offenses, regulatory offenses, and DUI.

She has been honored by the Criminal Courts Bar Association, National Lawyers Guild, and Women Lawyers Association of Los Angeles. She was named "Criminal Defense Attorney of the Year" for 2002 by the Los Angeles County Bar Association Criminal Justice Section, "Criminal Defense Attorney of the Year" by the Century City Bar Association 2006, and one of



the “100 Most Influential Lawyers in California” in 2002 by the California Daily Journal. She has been voted a “Southern California Super Lawyer” by her peers, in 2004, 2006, 2007, 2008, 2009, 2010, 2011, and 2012, in polls published by Los Angeles Magazine in each of those years. She was awarded the “Spirit of Excellence” Award by the American Bar Association and the “Trailblazer Award” by the National Asian Pacific American Bar Association.

She is a former deputy public defender and has been in private practice since 1985. She is the past president of the California Attorneys for Criminal Justice (a statewide organization of over 2,500 public and private defenders), past president of the Japanese American Bar Association, past president of the Asian Pacific American Women Lawyers Alliance as well as cofounder and past chair of the Multi-Cultural Bar Alliance (a coalition of minority, women’s and LGBT bar associations in Los Angeles).

She has been appointed by the Chief Justice of the California Supreme Court to serve on the California Judicial Council Task Forces on Jury Improvement and on Fairness and Access in the Courts. She has lectured and presented for President Clinton’s Initiative on “Race and Criminal Justice,” George Washington University, 1999, as well as several panels, classes, and demonstrations for the American Bar Association, Los Angeles County Bar Association, and International Bridges to Justice, wherein she conducted training for criminal defense attorneys in the Republic of China. (IBJ is involved in due process education for human rights advocates throughout Asia, Africa, and South America). She is a well-known media commentator for print, radio, and television.

She is the recipient of the Golden Key Award by the City of West Hollywood, The Liberty Award by Lambda Legal, and The Harvey Milk Legacy Award and LA Pride by Christopher Street West, and she has also been honored by API Equality and the Los Angeles County Human Relations Commission for her advocacy on behalf of the LGBT community. Mia also received the inaugural Stonewall Award from the American Bar Association’s Commission on Sexual Orientation and Gender Identity on February 9, 2013.





# Out and About

*"If a man does not keep pace with his companions, perhaps it is because he hears a different drummer. Let him step to the music which he hears, however measured or far away."*

—Henry David Thoreau

***Out and About: The LGBT Experience in the Legal Profession*** is intended to address the experiences of LGBT attorneys, academics, and jurists in the legal profession. Through their own words, our authors help educate and promote justice in and through the legal profession for the LGBT community in all its diversity. This book also celebrates LGBT members of the bar by recognizing this diverse group, their contributions, and their struggles.

Being an individual, doing your own thing no matter what everyone else is doing, is the heart of the essays that comprise this book. The writers share their experience of at once blending in and yet feeling different, vulnerable, and exposed. They speak of the ever-present potential to be treated differently simply because of who they are, giving these essays deeper meaning. Some of these authors endured secret pain, suffering in private, hiding personal lives from colleagues. Others barely soldiered through, endeavoring just to make the lives of their clients better. And some openly achieved great success, personally, professionally, or both. Each and every one merits attention.

Each chapter of this book informs and inspires readers to broaden horizons, opening minds to the vast diversity of LGBT individuals. The book aims to improve the legal profession and the justice system itself by demonstrating the vast potential within all of us.

There always have been people who "dance to the beat of a different drummer." The contributors to this collection of essays hope you dance to whatever music suits you!

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